



Journal of the House

State of Indiana

121st General Assembly

Second Regular Session

Twelfth Day

Monday Afternoon

January 27, 2020

The invocation was offered by Pastor Tommy Beatley of Delaware & Osgood United Methodist Churches in Milan, a guest of Representative Frye.

The House convened at 1:30 p.m. with Speaker Brian C. Bosma in the Chair.

The Pledge of Allegiance to the Flag was led by Representative Sherman.

The Speaker ordered the roll of the House to be called:

Abbott	Jackson
Austin	Jordan
Aylesworth	Judy
Bacon	Karickhoff
Baird	Kirchhofer
Barrett	Klinker
Bartels	Lauer
Bartlett	Lehe
Bauer	Lehman
Beck	Leonard
Behning	Lindauer
Borders	Lucas <input type="checkbox"/>
Boy	Lyness
T. Brown	Macer
Burton	Manning
Campbell	May
Candelaria Reardon	Mayfield
Carbaugh	McNamara
Cherry	Miller
Chyung	Moed
Clere	Morris
Cook	Morrison
Davisson	Moseley
Deal	Negele
DeLaney	Nisly
DeVon	Pfaff
Dvorak	Pierce
Eberhart	Porter
Ellington	Prescott
Engleman	Pressel
Errington	Pryor
Fleming	Saunders
Forestal	Schaibley
Frye	Shackleford
GiaQuinta	Sherman
Goodin	Smaltz
Goodrich	V. Smith
Gutwein	Soliday
Hamilton	Speedy <input type="checkbox"/>
Harris	Steuerwald
Hatcher	Stutzman
Hatfield	Sullivan
Heaton	Summers
Heine	Thompson
Hostettler	Torr
Huston	VanNatter

Vermilion

Wesco

Wolkins ☐

Wright

J. Young

Zent

Ziemke

Mr. Speaker

Roll Call 57: 97 present; 3 excused. The Speaker announced a quorum in attendance. [NOTE: ☐ indicates those who were excused.]

HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Tuesday, January 28, 2020, at 1:30 p.m.

LEHMAN

The motion was adopted by a constitutional majority.

RESOLUTIONS ELIGIBLE FOR ADOPTION

House Concurrent Resolution 11

The Speaker handed down on its passage House Concurrent Resolution 11, introduced by Representative Zent:

A CONCURRENT RESOLUTION urging the creation of the Medal of Honor Memorial Highway in Indiana.

The resolution was read a second time and adopted. Roll Call 58: yeas 93, nays 0. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsors: Senators Glick, Tomes and Niezgodski.

RESOLUTIONS ON FIRST READING

House Concurrent Resolution 12

Representatives Bartlett and Zent introduced House Concurrent Resolution 12:

A CONCURRENT RESOLUTION honoring the inductees of the Indiana Military Veterans Hall of Fame.

Whereas, The Indiana Military Veterans Hall of Fame (IMVHOF) was founded in 2013;

Whereas, The mission of the IMVHOF is to publicly "emphasize the honor brought to our state and nation by the sacrifice of Indiana military veterans and their families";

Whereas, The first Hoosiers were inducted into the IMVHOF on November 7, 2014;

Whereas, The 2019 inductees are Irvin Alexander, Dennis A. Beals, Donald E. Bolner, Jay A. Collars, Charles H. DeBow, Jr., David W. Eberly, Roland W. Henry, Maurice W. Kendall, Charles W. Lewis, Fred S. Lindsey, Henry C. Marshall, Ivan Moreman, Forrest E. Myers, Frank H. Ono, Conrad A. Sipple, and Gary C. Steinhardt;

Whereas, Nominations came from all over the state and represented military veterans from World War I through the current engagements in the Middle East and elsewhere;

Whereas, Each inductee receives a medallion representing the IMVHOF and its relationship to Indiana;

Whereas, The medallion's front side depicts Indiana and the name of the organization while the back side displays the state flag and the engraved name of the inductee encircled by the names of the five branches of the United States armed forces;

Whereas, Throughout the history of our great nation, hundreds of thousands of men and women have served their country with honor and pride in time of war and peace; and

Whereas, The Indiana Military Veterans Hall of Fame honors these brave Hoosier veterans for their service and shares their stories of sacrifice with the people of our state: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That the Indiana General Assembly recognizes the inductees into the Indiana Military Veterans Hall of Fame for their great bravery and dedication to duty. Without brave men and women like these, our state and nation could not exist.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to the Board of Directors of the Indiana Military Veterans Hall of Fame.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsors: Senators Messmer and Garten.

House Concurrent Resolution 15

Representatives GiaQuinta, Leonard, Judy, Lehman, Morris, Heine, Carbaugh, Abbott and Smaltz introduced House Concurrent Resolution 15:

A CONCURRENT RESOLUTION urging the Indiana Department of Transportation to rename a bridge on U.S. Route 27 in Fort Wayne as the "Fort Wayne Veterans Memorial Bridge".

Whereas, The Indiana Department of Transportation has jurisdiction over highways in the state system, including those located in municipalities;

Whereas, The Indiana Department of Transportation has jurisdiction over a bridge that spans the St. Marys River and is located on U.S. Route 27, known locally as Spy Run Avenue;

Whereas, The bridge provides a northern entrance to the Old Fort, a point of destination recognizing the historic settlement of the City of Fort Wayne;

Whereas, The bridge is currently known as the Governor Samuel Bigger Memorial Bridge, recognizing Indiana's governor who served from December 9, 1840, to December 6, 1843, and who is buried in Fort Wayne;

Whereas, The City of Fort Wayne plans to rename a section in McCulloch Park, where Governor Bigger is buried, to honor him and increase awareness of his contributions to the state of Indiana;

Whereas, The bridge would become known as the Fort Wayne Veterans Memorial Bridge, honoring and recognizing those who have served in any branch of the military; and

Whereas, Plans to upgrade the bridge include focal points that will recognize all branches of the military: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That the Indiana General Assembly recognizes the many contributions of Indiana veterans, including those who made the ultimate sacrifice to ensure the freedoms held by citizens.

SECTION 2. That the Indiana General Assembly urges the Department of Transportation to rename the state highway bridge over the St. Marys River that is located on U.S. Route 27 near the Old Fort as the Fort Wayne Veterans Memorial Bridge.

SECTION 3. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to the office of State Representative Phil GiaQuinta and to the commissioner of the Indiana Department of Transportation.

The resolution was read a first time and referred to the Committee on Roads and Transportation.

House Concurrent Resolution 16

Representative Frye introduced House Concurrent Resolution 16:

A CONCURRENT RESOLUTION memorializing Marine Corporal John C. Bishop.

Whereas, Cpl. John C. Bishop was born on October 17, 1984, in Batesville, Indiana, to Eugene and Sarah Bishop;

Whereas, John Bishop knew as a child that he wanted to become a Marine, and he enlisted soon after graduating from Southwestern Shelby High School in 2003;

Whereas, Cpl. Bishop was stationed at Camp Lejeune, North Carolina, and assigned to the 2nd Battalion, 9th Marine Regiment, 2nd Marine Division, Marine Expeditionary Force;

Whereas, Cpl. Bishop was on his third tour of duty, having served previously in Iraq for two tours, when he was shot and killed while on patrol in Helmand province, Afghanistan, in 2010 at the age of 25;

Whereas, Cpl. Bishop was survived by his wife, son, unborn daughter, mother, and siblings;

Whereas, It is fitting that the Indiana General Assembly recognize and remember Cpl. Bishop as a born-and-raised Hoosier, a proud Marine, and a loving husband, father, son, and brother; and

Whereas, The Indiana General Assembly urges the Indiana Department of Transportation to rename a portion of U.S. 50 in Ripley County the "Marine Corporal John C. Bishop Memorial Highway" in memory of Cpl. Bishop's service and sacrifice on behalf of the United States of America: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. The Indiana General Assembly urges the Indiana Department of Transportation to rename a portion of U.S. 50 from Versailles to State Road 129 in Ripley County the "Marine Corporal John C. Bishop Memorial Highway" in memory of Marine Corporal Bishop's service to the state of Indiana and the United States of America.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the family of Marine Corporal John C. Bishop and the Commissioner of the Indiana Department of Transportation.

The resolution was read a first time and referred to the Committee on Roads and Transportation.

House Concurrent Resolution 17

Representatives Mayfield, Ellington, Heaton, May and Pierce introduced House Concurrent Resolution 17:

A CONCURRENT RESOLUTION urging the Indiana Department of Transportation to rename the State Road 45 and 2nd Street bridge over I-69 the "Sarah Irene Haylett-Jones Memorial Bridge".

Whereas, Deputy Sarah Irene Haylett-Jones displayed passion for public safety, law enforcement, and a need to help others throughout her life;

Whereas, Deputy Haylett-Jones was born on April 2, 1981, to Wayne and Kimalee Haylett;

Whereas, In her youth, she was active in the 4-H and Big Brothers and Big Sisters, and had become a captain in the Michigan State Police Explorers program;

Whereas, Deputy Haylett-Jones was a veteran of the United States Air Force, serving from 2001 to 2006 and becoming the president of the Airman's Association;

Whereas, Deputy Haylett-Jones continued her life in public service, earning a position with the Montgomery, Alabama, Police Department and serving for one and one half years before moving to Indiana to join the Monroe County Sheriff's Office;

Whereas, Deputy Haylett-Jones suffered injuries that she sustained on October 17, 2008, after being struck by a vehicle while directing traffic around an accident at the intersection of West Airport Road and State Road 45 outside of Bloomington, Indiana;

Whereas, At the age of 27, Deputy Haylett-Jones passed away on October 19, 2008, and was survived by her parents, Wayne and Kimalee; husband, Chris; in-laws, Steven and Connie; two brothers, Matthew and Jess; and her grandmother, Vivian; and

Whereas, It is fitting that the Indiana General Assembly recognize Deputy Haylett-Jones' service to Indiana, as well as her lifetime spent in the service of others: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. The Indiana General Assembly urges the Indiana Department of Transportation to rename the State Road 45 and 2nd Street bridge over I-69 the "Sarah Irene Haylett-Jones Memorial Bridge" in memory of Deputy Haylett-Jones' service to Monroe County and Indiana.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the family of Deputy Haylett-Jones and the Commissioner of the Indiana Department of Transportation.

The resolution was read a first time and referred to the Committee on Roads and Transportation.

House Concurrent Resolution 18

Representative Heine introduced House Concurrent Resolution 18:

A CONCURRENT RESOLUTION urging the Indiana Department of Transportation to rename a portion of State Road 930 in honor of service members that fought and served during Operation Enduring Freedom.

Whereas, Operation Enduring Freedom began on October 7, 2001, with United States and British airstrikes on al Qaeda and Taliban targets in response to terrorist attacks that occurred on September 11, 2001;

Whereas, Operation Enduring Freedom was a combat mission, lasting more than 13 years, designed to cripple the al Qaeda terror network operating under the protection of the Taliban regime in Afghanistan;

Whereas, An estimated 100,000 U.S. troops were deployed in Afghanistan by May 2011 as part of Operation Enduring Freedom; and

Whereas, The Indiana General Assembly wishes to honor and remember the brave Indiana service members who fought and served during Operation Enduring Freedom: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That the Indiana General Assembly urges the Indiana Department of Transportation to rename the portion of State Road 930 through the New Haven city limits in honor of Indiana service members who fought and served during Operation Enduring Freedom.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of State Representative Dave Heine for distribution.

The resolution was read a first time and referred to the Committee on Roads and Transportation.

House Concurrent Resolution 19

Representative Bacon introduced House Concurrent Resolution 19:

A CONCURRENT RESOLUTION recognizing the 2019 Castle High School archery team for winning their twelfth state championship and second consecutive national championship.

Whereas, The 2019 Castle High School archery team won the national championship with a score of 3,480 out of 3,600, ranking the highest of 263 teams from across the nation;

Whereas, Castle junior Ashlie Garrison was recognized as the leading female shooter in the high school division, having shot a 298 out of 300;

Whereas, The Knights continue a proud tradition having won 12 state championships over the past 13 years;

Whereas, The national team includes Ashlie Garrison, Ashton Probus, Lola Phillips, Katherine Tessoroff, Mackenzie Kopp, Kevin Stevens, Kyle Probus, Nick Kaufman, J. T. Mitchell, Hayley Moody, Payton Hanson, Andrew Zeller, Talon Counts, Spencer Greenwell, Maggie Robbins, Rylan Royster, Tyler Johnson, Noah Wells, Bresden Laughton, Max Bockelman, Suprit Sooch, Beau Evrard, Rubina Cheema, and Kayla Nasserizafar.

Whereas, Each archer on the national team earned a \$1,000 scholarship;

Whereas, The Knights went on to place fourth in the 2019 NASP world tournament, located in Nashville, Tennessee;

Whereas, The world tournament team included Ashton Probus, Kyle Probus, Ashlie Garrison, Payton Hanson, Kevin Stevens, Talon Counts, Andrew Zeller, J. T. Mitchell, Mackenzie Kopp, Lola Phillips, Spencer Greenwell, Hayley Moody, Kayla Nasserizafar, Maggie Robbins, Jacob Adams, Rylan Royster, Max Bockelman, Dallas Roberts, Megan Merta, Howie Heerd, Aaron Poirot, and Taylor Schaffer; and

Whereas, The Castle High School archery team's season was victorious and unforgettable, as they represented themselves, their school, and the state of Indiana in the highest regard: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That the Indiana General Assembly recognizes the 2019 Castle High School archery team for winning their

twelfth state championship and second consecutive national championship.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the members of the 2019 Castle High School archery team and to its coaches and staff.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsor: Senator Becker.

Senate Concurrent Resolution 4

The Speaker handed down Senate Concurrent Resolution 4, sponsored by Representative Gutwein:

A CONCURRENT RESOLUTION memorializing Deputy Shadron K. Bassett and urging the Indiana Department of Transportation to name a mile of State Road 39 the "Deputy Shadron K. Bassett Memorial Mile".

Whereas, Deputy Shadron K. "Shad" Bassett lost his life in a fatal accident while responding to a call on October 7, 2005;

Whereas, Born January 12, 1971, in Monticello, Deputy Bassett was a graduate of Knox High School and the Indiana Law Enforcement Academy as a member of the 04-157 graduating class;

Whereas, Deputy Bassett's law enforcement career began as a Reserve Deputy with the Burnettsville Police Department before joining the Pulaski County Sheriff's Department as a patrol deputy, where he served for two and a half years until his death;

Whereas, A member of the Fraternal Order of Police Lodge 123, Deputy Bassett is survived by his wife, Shannon, daughter, Madison, step-daughters, Dakota and Julie Hines, parents, Ron Bassett and Penni Pigeccella, three sisters, Brukennta Geisler, Cynaka Carr, and Sharim Shields, brother, Nathan Arbuckle, and step-father, Paul Arbuckle;

Whereas, Known as a kind-hearted person, Deputy Bassett was respected by his peers for his love of God, family, and community;

Whereas, Deputy Bassett was also known for his passion for guns and working on muscle cars; and

Whereas, Deputy Bassett paid the ultimate price while protecting the people of Pulaski County and the State of Indiana, and his sacrifice and service deserve recognition: Therefore,

*Be it resolved by the Senate
of the General Assembly of the State of Indiana,
the House of Representatives concurring:*

SECTION 1. That the Indiana General Assembly expresses its deepest gratitude and sympathies to the family of Deputy Shadron K. Bassett and urges the Indiana Department of Transportation to honor Deputy Bassett by naming a mile of State Road 39 between Pulaski County Roads 300 North and 400 North the "Deputy Shadron K. Bassett Memorial Mile".

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this resolution to the family of Deputy Shadron K. Bassett, the Pulaski County Sheriff's Department, the Fraternal Order of Police Lodge 123, and the Commissioner of the Indiana Department of Transportation.

The resolution was read a first time and referred to the Committee on Roads and Transportation.

Senate Concurrent Resolution 6

The Speaker handed down Senate Concurrent Resolution 6, sponsored by Representative Lehe:

A CONCURRENT RESOLUTION memorializing Trooper

Peter "Bo" Stephan and urging the Indiana Department of Transportation to name a portion of State Road 25 the "Trooper Peter "Bo" Stephan Memorial Highway".

Whereas, Trooper Peter "Bo" Stephan lost his life following injuries sustained in an on-duty automobile accident on October 11, 2019;

Whereas, Born April 1, 1992, in Albany, Oregon, Trooper Stephan grew up in Howard County, Indiana, and graduated from Indiana Wesleyan University in 2015 with a bachelors degree in criminal justice;

Whereas, Shortly after his college graduation, Trooper Stephan joined the Indiana State Police in June 2015, and began his law enforcement career following his graduation from the 75th Indiana State Police Academy in November 2015;

Whereas, Assigned to the Lafayette Post, Trooper Stephan's primary patrol duties were in Carroll, Clinton, Tippecanoe, and White Counties, which he patrolled for four years until his death;

Whereas, Indiana State Police District 14 installed a cross along Old State Road 25 on October 23, 2019, to memorialize Trooper Stephan's service to the community and remember his friendship and devotion to public safety;

Whereas, Trooper Stephan is survived by his wife, Jessica, daughter, Harper, parents, Peter and Karen, sisters, Shelley and Haley, brothers, Jonah and Charley, and his maternal grandparents and several aunts, uncles, and cousins;

Whereas, Trooper Stephan most enjoyed spending time with his wife and daughter, and spent time off-duty playing video games with his co-workers; and

Whereas, Trooper Stephan's service and sacrifice for the State of Indiana deserve recognition: Therefore,

*Be it resolved by the Senate
of the General Assembly of the State of Indiana,
the House of Representatives concurring:*

SECTION 1. That the Indiana General Assembly expresses its deepest gratitude and sympathies to the family of Trooper Peter Stephan and urges the Indiana Department of Transportation to honor Trooper Stephan by naming State Road 25 from County Road 450 North in Tippecanoe County to U.S. Highway 421 in Carroll County the "Trooper Peter "Bo" Stephan Memorial Highway".

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this resolution to the family of Trooper Peter Stephan, the Indiana State Police, and the Commissioner of the Indiana Department of Transportation.

The resolution was read a first time and referred to the Committee on Roads and Transportation.

Senate Concurrent Resolution 17

The Speaker handed down Senate Concurrent Resolution 17, sponsored by Representative Morris:

A CONCURRENT RESOLUTION congratulating Erin Strzelecki of Fort Wayne Bishop Dwenger High School on winning the 2019 Indiana High School Athletic Association ("IHSAA") individual state championship title in girls cross country.

Whereas, Fort Wayne Bishop Dwenger High School's Erin Strzelecki won the 2019 IHSAA individual state championship title in girls cross country;

Whereas, Erin entered the championship meet as the individual champion in both the regional and semi-state meets;

Whereas, Making her fourth appearance in the state finals, Erin capped off her senior year with a winning time of 17:22.9,

defeating her closest competition by 22 seconds;

Whereas, Winning the first individual cross country title in Bishop Dwenger High School history, Erin placed first out of 205 runners from around the state;

Whereas, After the meet, Erin was named the Class 3A Runner of the Year by the Indiana Track and Cross Country Coaches Association;

Whereas, When not kicking dust on the cross country course, Erin is a top student with a 3.95 GPA, and is a member of the National Honor Society and Future Business Leaders of America; and

Whereas, Erin will continue her running career at the University of Notre Dame following her graduation from Bishop Dwenger High School: Therefore,

*Be it resolved by the Senate
of the General Assembly of the State of Indiana,
the House of Representatives concurring:*

SECTION 1. That the Indiana General Assembly congratulates Erin Strzelecki of Fort Wayne Bishop Dwenger High School on winning the 2019 IHSAA individual state championship title in girls cross country.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this resolution to Erin Strzelecki

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

Senate Concurrent Resolution 18

The Speaker handed down Senate Concurrent Resolution 18, sponsored by Representative Morris:

A CONCURRENT RESOLUTION congratulating the Fort Wayne Bishop Dwenger High School cheerleading team on winning the 2019 Indiana Cheer Championship.

Whereas, The Fort Wayne Bishop Dwenger High School cheerleading team won the 2019 Indiana Cheer Championship hosted by the Indiana Association of School Principals;

Whereas, During the championship held November 9, 2019, in New Castle, the Saints took first place in the Varsity B Division by defeating Pendleton Heights, Greenfield Central, Jasper, Lowell, and Mt. Vernon (Fortville) in the finals;

Whereas, As a result of months of hard work and dedicated practice, the Bishop Dwenger cheer team executed a flawless zero deduction routine to win the title; and

Whereas, By earning the 2019 Indiana Cheer Championship title, Bishop Dwenger won its eighth state title in school history: Therefore,

*Be it resolved by the Senate
of the General Assembly of the State of Indiana,
the House of Representatives concurring:*

SECTION 1. That the Indiana General Assembly congratulates the Fort Wayne Bishop Dwenger High School cheerleading team on winning the 2019 Indiana Cheer Championship.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this resolution to each member of the Fort Wayne Bishop Dwenger High School cheerleading team

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

INTRODUCTION OF BILLS

With consent of the members, the following bills and joint

resolutions on Bill List 15 were read a first time by title and referred to the respective committees:

SB 2 — DeVon

Committee on Education

A BILL FOR AN ACT concerning education.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Mr. Speaker: Your Committee on Employment, Labor and Pensions, to which was referred House Bill 1008, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 8, delete "Reciprocity" and insert "**Endorsement**".

Page 2, line 13, delete "Notwithstanding" and insert "**(a) Except as provided in subsection (b) and section 6 of this chapter and notwithstanding**".

Page 2, line 16, delete "requirements:" and insert "**requirements, if such requirements are applicable to the appropriate board:**".

Page 2, line 23, after "examination" insert "**which the appropriate board has determined to be**".

Page 2, line 24, delete "applied for." and insert "**applied.**".

Page 2, after line 37, begin a new paragraph and insert:

"(b) If a board described in subsection (a) requires that an individual submit to a national criminal history background check (as defined in IC 25-1-1.1-4(b)) to issue the individual a license for a regulated occupation, the board may still maintain this requirement, even if the individual applies for the license and meets the requirements set forth in subsection (a).

Sec. 6. (a) If a board has entered into a:

- (1) national reciprocal or endorsement agreement; or**
- (2) reciprocal or endorsement agreement with one (1) or more states;**

those agreements remain in effect.

(b) Nothing in this chapter prevents or supersedes a:

- (1) compact; or**
- (2) reciprocity or comity agreement;**

established by the general assembly or a board."

Renumber all SECTIONS consecutively.

(Reference is to HB 1008 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 9, nays 2.

VANNATTER, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Employment, Labor and Pensions, to which was referred House Bill 1043, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 7, after line 30, begin a new paragraph and insert:

"SECTION 8. IC 36-8-8-7, AS AMENDED BY P.L.27-2019, SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 7. (a) Subject to IC 36-8-4.7 and except as provided in subsections (d), (e), (f), (g), (h), (k), (l), and (m):

- (1) a police officer; or
- (2) a firefighter;

who is less than ~~thirty-six (36)~~ **forty (40)** years of age and who passes the baseline statewide physical and mental examinations required under section 19 of this chapter shall be a member of the 1977 fund and is not a member of the 1925 fund, the 1937 fund, or the 1953 fund.

(b) A police officer or firefighter with service before May 1, 1977, who is hired or rehired after April 30, 1977, may receive credit under this chapter for service as a police officer or firefighter prior to entry into the 1977 fund if the employer who rehires the police officer or firefighter chooses to contribute to the 1977 fund the amount necessary to amortize the police officer's or firefighter's prior service liability over a period of not more than thirty (30) years, the amount and the period to be determined by the system board. If the employer chooses to make the contributions, the police officer or firefighter is entitled to receive credit for the police officer's or firefighter's prior years of service without making contributions to the 1977 fund for that prior service. In no event may a police officer or firefighter receive credit for prior years of service if the police officer or firefighter is receiving a benefit or is entitled to receive a benefit in the future from any other public pension plan with respect to the prior years of service.

(c) Except as provided in section 18 of this chapter, a police officer or firefighter is entitled to credit for all years of service after April 30, 1977, with the police or fire department of an employer covered by this chapter.

(d) A police officer or firefighter with twenty (20) years of service does not become a member of the 1977 fund and is not covered by this chapter, if the police officer or firefighter:

- (1) was hired before May 1, 1977;
- (2) did not convert under IC 19-1-17.8-7 or IC 19-1-36.5-7 (both of which were repealed September 1, 1981); and
- (3) is rehired after April 30, 1977, by the same employer.

(e) A police officer or firefighter does not become a member of the 1977 fund and is not covered by this chapter if the police officer or firefighter:

- (1) was hired before May 1, 1977;
- (2) did not convert under IC 19-1-17.8-7 or IC 19-1-36.5-7 (both of which were repealed September 1, 1981);
- (3) was rehired after April 30, 1977, but before February 1, 1979; and
- (4) was made, before February 1, 1979, a member of a 1925, 1937, or 1953 fund.

(f) A police officer or firefighter does not become a member of the 1977 fund and is not covered by this chapter if the police officer or firefighter:

- (1) was hired by the police or fire department of a unit before May 1, 1977;
- (2) did not convert under IC 19-1-17.8-7 or IC 19-1-36.5-7 (both of which were repealed September 1, 1981);
- (3) is rehired by the police or fire department of another unit after December 31, 1981; and
- (4) is made, by the fiscal body of the other unit after December 31, 1981, a member of a 1925, 1937, or 1953 fund of the other unit.

If the police officer or firefighter is made a member of a 1925, 1937, or 1953 fund, the police officer or firefighter is entitled to receive credit for all the police officer's or firefighter's years of service, including years before January 1, 1982.

(g) As used in this subsection, "emergency medical services" and "emergency medical technician" have the meanings set forth in IC 16-18-2-110 and IC 16-18-2-112. A firefighter who:

- (1) is employed by a unit that is participating in the 1977 fund;
- (2) was employed as an emergency medical technician by a political subdivision wholly or partially within the department's jurisdiction;
- (3) was a member of the public employees' retirement fund during the employment described in subdivision (2); and
- (4) ceased employment with the political subdivision and was hired by the unit's fire department due to the reorganization of emergency medical services within the

department's jurisdiction; shall participate in the 1977 fund. A firefighter who participates in the 1977 fund under this subsection is subject to sections 18 and 21 of this chapter.

(h) A police officer or firefighter does not become a member of the 1977 fund and is not covered by this chapter if the individual was appointed as:

- (1) a fire chief under a waiver under IC 36-8-4-6(c); or
 - (2) a police chief under a waiver under IC 36-8-4-6.5(c);
- unless the executive of the unit requests that the 1977 fund accept the individual in the 1977 fund and the individual previously was a member of the 1977 fund.

(i) A police matron hired or rehired after April 30, 1977, and before July 1, 1996, who is a member of a police department in a second or third class city on March 31, 1996, is a member of the 1977 fund.

(j) A park ranger who:

- (1) completed at least the number of weeks of training at the Indiana law enforcement academy or a comparable law enforcement academy in another state that were required at the time the park ranger attended the Indiana law enforcement academy or the law enforcement academy in another state;
- (2) graduated from the Indiana law enforcement academy or a comparable law enforcement academy in another state; and
- (3) is employed by the parks department of a city having a population of more than one hundred ten thousand (110,000) but less than one hundred fifty thousand (150,000);

is a member of the fund.

(k) Notwithstanding any other provision of this chapter, a police officer or firefighter:

- (1) who is a member of the 1977 fund before a consolidation under IC 36-3-1-5.1 or IC 36-3-1-6.1;
- (2) whose employer is consolidated into the consolidated law enforcement department or the fire department of a consolidated city under IC 36-3-1-5.1 or IC 36-3-1-6.1; and
- (3) who, after the consolidation, becomes an employee of the consolidated law enforcement department or the consolidated fire department under IC 36-3-1-5.1 or IC 36-3-1-6.1;

is a member of the 1977 fund without meeting the requirements under sections 19 and 21 of this chapter.

(l) Notwithstanding any other provision of this chapter, if:

- (1) before a consolidation under IC 8-22-3-11.6, a police officer or firefighter provides law enforcement services or fire protection services for an entity in a consolidated city;
- (2) the provision of those services is consolidated into the law enforcement department or fire department of a consolidated city; and
- (3) after the consolidation, the police officer or firefighter becomes an employee of the consolidated law enforcement department or the consolidated fire department under IC 8-22-3-11.6;

the police officer or firefighter is a member of the 1977 fund without meeting the requirements under sections 19 and 21 of this chapter.

(m) A police officer or firefighter who is a member of the 1977 fund under subsection (k) or (l) may not be:

- (1) retired for purposes of section 10 of this chapter; or
 - (2) disabled for purposes of section 12 of this chapter;
- solely because of a change in employer under the consolidation.

(n) Notwithstanding any other provision of this chapter and subject to subsection (o), a police officer or firefighter who:

- (1) is an active member of the 1977 fund with an employer that participates in the 1977 fund;
- (2) separates from that employer; and
- (3) not later than one hundred eighty (180) days after the

date of the separation described in subdivision (2), becomes employed as a full-time police officer or firefighter with the same or a second employer that participates in the 1977 fund;

is a member of the 1977 fund without meeting for a second time the age limitation under subsection (a) and the requirements under sections 19 and 21 of this chapter. A police officer or firefighter to whom this subsection applies is entitled to receive credit for all years of 1977 fund covered service as a police officer or firefighter with all employers that participate in the 1977 fund.

(o) The one hundred eighty (180) day limitation described in subsection (n)(3) does not apply to a member of the 1977 fund who is eligible for reinstatement under IC 36-8-4-11.

(p) Notwithstanding any other provision of this chapter, a veteran who is:

(1) described in IC 36-8-4.7; and

(2) employed as a firefighter or police officer;

is a member of the 1977 fund.

SECTION 9. IC 36-8-12-6, AS AMENDED BY P.L.174-2009, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. (a) Each unit that has a volunteer fire department shall procure insurance in the name of and for the benefit of each member of the department. However, if a contract or agreement exists between a unit and a volunteer fire department, the contract or agreement must provide for insurance of the volunteer firefighters and emergency medical services personnel in the department in the amounts and with the coverages required by this chapter. Unless the contract or agreement stipulates otherwise, all insurance coverage must be under a group plan, rather than in the name of each individual firefighter and member of the emergency medical services personnel. Either the unit or the volunteer fire department, according to the contractor agreement, may undertake procurement of required insurance, but in either case, the costs of coverage must be borne by the unit. If a volunteer fire department serves more than one (1) unit under a contract or agreement, each unit that the department serves shall pay the amount for the insurance coverage determined under the following formula:

STEP ONE: For each census block or other area in a unit that is served by more than one (1) volunteer fire department, divide the population of the area by the number of volunteer fire departments serving the area, and round the quotient to the nearest one thousandth (.001).

STEP TWO: Add the quotients determined under STEP ONE for the unit.

STEP THREE: Determine the sum of the STEP TWO amounts for all of the units served by the same volunteer fire department.

STEP FOUR: Divide the STEP TWO amount for a unit by the STEP THREE amount and round the quotient to the nearest one thousandth (.001).

STEP FIVE: Multiply the costs of the insurance coverage for the volunteer fire department by the quotient determined under STEP FOUR, rounded to the nearest dollar.

(b) A diminution of insurance benefits may not occur under this section because of a change in the insurance carrier or a change as to who actually procures the required insurance.

(c) Each unit that has a volunteer fire department may procure an insurance policy for the benefit of auxiliary groups whose members could be injured while assisting the volunteer firefighters and emergency medical services personnel in the performance of their duties.

(d) Each unit that has a volunteer fire department may procure an insurance policy or any other type of instrument that provides retirement benefits as an incentive to volunteer firefighters and emergency medical services personnel for continued service.

(e) An insurance policy or other instrument containing any of the provisions authorized by subsection (d) may not be considered in the computation of nominal compensation for purposes of this chapter.

(f) A volunteer firefighter or member of the emergency medical services personnel who becomes covered by an insurance policy or other instrument containing any of the provisions authorized by subsection (d) does not thereby become eligible for membership in the public employees' retirement fund under IC 5-10.3.

(g) If a unit fails to provide the insurance for a volunteer firefighter or member of the emergency medical services personnel that this chapter requires it to provide, and a volunteer firefighter or member of the emergency medical services personnel suffers a loss of the type that the insurance would have covered, then the unit shall pay to that volunteer firefighter or member of the emergency medical services personnel the same amount of money that the insurance would have paid to the volunteer firefighter or member of the emergency medical services personnel.

(h) A unit's obligation under this section supersedes any obligation that another medical insurance carrier has to pay the expenses of the volunteer firefighter or member of the emergency medical services personnel."

Renumber all SECTIONS consecutively.

(Reference is to HB 1043 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 10, nays 1.

VANNATTER, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1052, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 5, reset in roman "2021,".

Page 1, line 5, delete "2036,".

Page 1, line 8, after "(0.3%)." insert "**A tax imposed under this subsection expires December 31, 2020.**".

Page 1, between lines 8 and 9, begin a new paragraph and insert:

"(c) For calendar years beginning after December 31, 2020, and before January 1, 2036, the county fiscal body may impose a tax on the adjusted gross income of local taxpayers at a tax rate that does not exceed three-tenths percent (0.3%). A tax imposed under this subsection expires December 31, 2035."

Page 1, line 9, strike "(c)" and insert "(d)".

Page 1, line 13, delete "(d)" and insert "(e)".

Page 1, line 15, delete "and maintaining".

Page 1, line 16, delete "jail and".

Renumber all SECTIONS consecutively.

(Reference is to HB 1052 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 20, nays 0.

BROWN T, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Employment, Labor and Pensions, to which was referred House Bill 1063, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 8, delete "fifty" and insert "**twenty-five**".

Page 1, line 8, delete "\$250,000" and insert "**(\$225,000)**".

Page 2, line 17, delete "fifty" and insert "**twenty-five**".
 Page 2, line 18, delete "(\$250,000)" and insert "**(\$225,000)**".
 Page 2, line 38, delete "fifty" and insert "**twenty-five**".
 Page 2, line 39, delete "(\$250,000)" and insert "**(\$225,000)**".
 Page 3, line 17, delete "fifty" and insert "**twenty-five**".
 Page 3, line 18, delete "(\$250,000)" and insert "**(\$225,000)**".
 Page 3, line 40, delete "fifty" and insert "**twenty-five**".
 Page 3, line 41, delete "(\$250,000)" and insert "**(\$225,000)**".
 (Reference is to HB 1063 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 11, nays 0.

VANNATTER, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1108, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 6, delete lines 1 through 8, begin a new paragraph and insert:

"SECTION 1. IC 5-11-1-9.3 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 9.3. (a) This section applies only to a body corporate and politic whose enabling statute does not provide for an annual audit, examination, or other engagement by:**

(1) the state board of accounts; or

(2) an independent public accounting firm;
 concerning financial or compliance related matters of the body corporate and politic.

(b) This section does not affect a body corporate and politic whose enabling statute provides for an annual audit, examination, or other engagement by the state board of accounts or an independent public accounting firm.

(c) As used in this section, "enabling statute" refers to a statute, including a statute enacted after June 30, 2020, that establishes a body corporate and politic.

(d) The state board of accounts may conduct an examination of a body corporate and politic described in this section. The state board of accounts shall permit a body corporate and politic to request in writing to the state examiner that an examination under this section be performed by an independent public accounting firm in accordance with sections 7 and 24 of this chapter. The state examiner may approve a request under this section based on the applicable risk based examination criteria described in and approved under section 25 of this chapter.

(e) An examination of a body corporate and politic conducted under this section by the state board of accounts or an independent public accounting firm shall be filed with:

(1) the state board of accounts in the manner provided by this article; and

(2) the auditor of state."

Page 17, delete line 19.

Page 17, line 20, delete "(4)" and insert "**(3)**".

Renumber all SECTIONS consecutively.

(Reference is to HB 1108 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 20, nays 0.

BROWN T, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1111, has had the same under consideration and begs leave to report the same back to the

House with the recommendation that said bill do pass.

(Reference is to HB 1111 as printed January 14, 2020.)

Committee Vote: Yeas 19, Nays 1.

BROWN T, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1113, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 5, delete lines 14 through 42.

Page 6, delete lines 1 through 7.

Page 7, delete lines 25 through 42, begin a new paragraph and insert:

"SECTION 7. IC 6-1.1-4-42, AS ADDED BY P.L.182-2009(ss), SECTION 89, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2020 (RETROACTIVE)]: Sec. 42. (a) This section applies to assessment dates after January 15, 2010.

(b) As used in The following definitions apply throughout this section:

(1) "Golf course" means an area of land and yard improvements that are predominately used to play the game of golf. A golf course consists of a series of holes, each consisting of a teeing area, fairway, rough and other hazards, and the green with the pin and cup.

(2) "Yard improvements" include a clubhouse, irrigation systems, a pro shop, a maintenance building, a driving range, restaurants, or other buildings associated with a golf course.

(c) The true tax value of real property regularly used as a golf course is the valuation determined by applying the income capitalization appraisal approach. The income capitalization approach used to determine the true tax value of a golf course must:

(1) incorporate an applicable income capitalization method and appropriate capitalization rates that are developed and used in computations that lead to an indication of value commensurate with the risks for the subject property use; and

(2) provide for the uniform and equal assessment of golf courses of similar grade quality and play length; and

(3) (2) exclude the value of personal property, intangible property, and income derived from personal or intangible property.

(d) For assessment dates after January 15, 2010, and before March 1, 2012, a township assessor (if any) or the county assessor shall gather and process information from the owner of a golf course to carry out this section in accordance with the rules adopted by the department of local government finance under IC 4-22-2.

(e) For assessment dates after February 28, 2012, the department of local government finance shall, by rules adopted under IC 4-22-2, establish uniform income capitalization ~~tables~~ **rates annually and procedures to be used for the assessment of golf courses. The department of local government finance may rely on analysis conducted by a state educational institution to develop the income capitalization ~~tables~~ **rates** and procedures required under this section **or recognized sources of industry capitalization rates**. Assessing officials shall use the ~~tables and~~ **procedures** adopted by the department of local government finance to assess, reassess, and annually adjust the assessed value of golf courses.**

(f) The department of local government finance may prescribe procedures, forms, and due dates for the collection from the owners or operators of golf courses of the necessary

earnings, income, profits, losses, and expenditures data necessary to carry out this section. An owner or operator of a golf course shall comply with the procedures and reporting schedules prescribed by the department of local government finance.

(g) Assessing officials shall solicit data for the gross income and allowable operating expenses from the owner or operator of the golf course enterprise and use federal tax returns or other similar evidence as verification that the submissions are correct. Assessing officials shall examine and evaluate three (3) years of financial records and federal tax returns to obtain the average net operating income. The three (3) year average should include the most current completed financial records and filed federal tax returns of the golf course enterprise as of the assessment date to ensure that the appropriate income and expense information for the subject property is used. However, because the financial records and federal tax returns for the year immediately preceding the assessment date would not be completed, the financial records and federal tax returns to be examined may include the three (3) consecutive years immediately preceding the year immediately preceding the assessment date.

(h) All income and expense information provided to an assessing official under this section is confidential under IC 6-1.1-35-9."

Page 8, delete lines 1 through 30.

Page 15, between lines 16 and 17, begin a new paragraph and insert:

"SECTION 16. IC 6-1.1-12-9, AS AMENDED BY P.L.114-2019, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 9. (a) An individual may obtain a deduction from the assessed value of the individual's real property, or mobile home or manufactured home which is not assessed as real property, if:

(1) the individual is at least sixty-five (65) years of age on or before December 31 of the calendar year preceding the year in which the deduction is claimed;

(2) for assessment dates before January 1, 2020, the combined adjusted gross income (as defined in Section 62 of the Internal Revenue Code) of:

(A) the individual and the individual's spouse; or

(B) the individual and all other individuals with whom:

(i) the individual shares ownership; or

(ii) the individual is purchasing the property under a contract;

as joint tenants or tenants in common;

for the calendar year preceding the year in which the deduction is claimed did not exceed twenty-five thousand dollars (\$25,000);

(3) for assessment dates after December 31, 2019:

(A) the individual had, in the case of an individual who filed a single return, adjusted gross income (as defined in Section 62 of the Internal Revenue Code) not exceeding thirty thousand dollars (\$30,000);

(B) the individual had, in the case of an individual who filed a joint income tax return with the individual's spouse, combined adjusted gross income (as defined in Section 62 of the Internal Revenue Code) not exceeding forty thousand dollars (\$40,000); or

(C) the combined adjusted gross income (as defined in Section 62 of the Internal Revenue Code) of the individual and all other individuals with whom:

(i) the individual shares ownership; or

(ii) the individual is purchasing the property under a contract;

as joint tenants or tenants in common did not exceed forty thousand dollars (\$40,000);

for the calendar year preceding by two (2) years the calendar year in which the property taxes are first due and

payable;

(4) the individual has owned the real property, mobile home, or manufactured home for at least one (1) year before claiming the deduction; or the individual has been buying the real property, mobile home, or manufactured home under a contract that provides that the individual is to pay the property taxes on the real property, mobile home, or manufactured home for at least one (1) year before claiming the deduction, and the contract or a memorandum of the contract is recorded in the county recorder's office;

(5) for assessment dates:

(A) before January 1, 2020, the individual and any individuals covered by subdivision (2)(B) reside on the real property, mobile home, or manufactured home; or

(B) after December 31, 2019, the individual and any individuals covered by subdivision (3)(C) reside on the real property, mobile home, or manufactured home;

(6) except as provided in subsection (i), the assessed value of the real property, mobile home, or manufactured home does not exceed two hundred thousand dollars (\$200,000).

(7) the individual receives no other property tax deduction for the year in which the deduction is claimed, except the deductions provided by sections 1, 37, (for assessment dates after February 28, 2008) 37.5, and 38 of this chapter; and

(8) the person:

(A) owns the real property, mobile home, or manufactured home; or

(B) is buying the real property, mobile home, or manufactured home under contract;

on the date the statement required by section 10.1 of this chapter is filed.

(b) Except as provided in subsection (h), in the case of real property, an individual's deduction under this section equals the lesser of:

(1) one-half (1/2) of the assessed value of the real property; or

(2) fourteen thousand dollars (\$14,000).

(c) Except as provided in subsection (h) and section 40.5 of this chapter, in the case of a mobile home that is not assessed as real property or a manufactured home which is not assessed as real property, an individual's deduction under this section equals the lesser of:

(1) one-half (1/2) of the assessed value of the mobile home or manufactured home; or

(2) fourteen thousand dollars (\$14,000).

(d) An individual may not be denied the deduction provided under this section because the individual is absent from the real property, mobile home, or manufactured home while in a nursing home or hospital.

(e) For purposes of this section, if real property, a mobile home, or a manufactured home is owned by:

(1) tenants by the entirety;

(2) joint tenants; or

(3) tenants in common;

only one (1) deduction may be allowed. However, the age requirement is satisfied if any one (1) of the tenants is at least sixty-five (65) years of age.

(f) A surviving spouse is entitled to the deduction provided by this section if:

(1) the surviving spouse is at least sixty (60) years of age on or before December 31 of the calendar year preceding the year in which the deduction is claimed;

(2) the surviving spouse's deceased husband or wife was at least sixty-five (65) years of age at the time of a death;

(3) the surviving spouse has not remarried; and

(4) the surviving spouse satisfies the requirements prescribed in subsection (a)(2) through (a)(8).

(g) An individual who has sold real property to another

person under a contract that provides that the contract buyer is to pay the property taxes on the real property may not claim the deduction provided under this section against that real property.

(h) In the case of tenants covered by subsection (a)(2)(B) or (a)(3)(C), if all of the tenants are not at least sixty-five (65) years of age, the deduction allowed under this section shall be reduced by an amount equal to the deduction multiplied by a fraction. The numerator of the fraction is the number of tenants who are not at least sixty-five (65) years of age, and the denominator is the total number of tenants.

(i) For purposes of determining the assessed value of the real property, mobile home, or manufactured home under subsection (a)(6) for an individual who has received a deduction under this section in a particular year, increases in assessed value ~~due solely to an annual adjustment of the assessed value under IC 6-1.1-4-4.5~~ that occur after the later of:

- (1) December 31, 2019; or
- (2) the first year that the individual has received the deduction;

are not considered **unless the increase in assessed value is attributable to physical improvements to the property.**

SECTION 17. IC 6-1.1-12-14, AS AMENDED BY P.L.114-2019, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 14. (a) Except as provided in subsection (c) and except as provided in section 40.5 of this chapter, an individual may have the sum of fourteen thousand dollars (\$14,000) deducted from the assessed value of the real property, mobile home not assessed as real property, or manufactured home not assessed as real property that the individual owns (or the real property, mobile home not assessed as real property, or manufactured home not assessed as real property that the individual is buying under a contract that provides that the individual is to pay property taxes on the real property, mobile home, or manufactured home if the contract or a memorandum of the contract is recorded in the county recorder's office) if:

- (1) the individual served in the military or naval forces of the United States for at least ninety (90) days;
- (2) the individual received an honorable discharge;
- (3) the individual either:
 - (A) has a total disability; or
 - (B) is at least sixty-two (62) years old and has a disability of at least ten percent (10%);
- (4) the individual's disability is evidenced by:
 - (A) a pension certificate or an award of compensation issued by the United States Department of Veterans Affairs; or
 - (B) a certificate of eligibility issued to the individual by the Indiana department of veterans' affairs after the Indiana department of veterans' affairs has determined that the individual's disability qualifies the individual to receive a deduction under this section; and
- (5) the individual:
 - (A) owns the real property, mobile home, or manufactured home; or
 - (B) is buying the real property, mobile home, or manufactured home under contract;

on the date the statement required by section 15 of this chapter is filed.

(b) Except as provided in subsections (c) and (d), the surviving spouse of an individual may receive the deduction provided by this section if:

- (1) the individual satisfied the requirements of subsection (a)(1) through (a)(4) at the time of death; or
- (2) the individual:
 - (A) was killed in action;
 - (B) died while serving on active duty in the military or naval forces of the United States; or
 - (C) died while performing inactive duty training in the military or naval forces of the United States; and

the surviving spouse satisfies the requirement of subsection (a)(5) at the time the deduction statement is filed. The surviving spouse is entitled to the deduction regardless of whether the property for which the deduction is claimed was owned by the deceased veteran or the surviving spouse before the deceased veteran's death.

(c) Except as provided in subsection (f), no one is entitled to the deduction provided by this section if the assessed value of the individual's Indiana real property, Indiana mobile home not assessed as real property, and Indiana manufactured home not assessed as real property, as shown by the tax duplicate, exceeds the assessed value limit specified in subsection (d).

(d) Except as provided in subsection (f), for the:

- (1) January 1, 2017, January 1, 2018, and January 1, 2019, assessment dates, the assessed value limit for purposes of subsection (c) is one hundred seventy-five thousand dollars (\$175,000); and
- (2) January 1, 2020, assessment date and for each assessment date thereafter, the assessed value limit for purposes of subsection (c) is two hundred thousand dollars (\$200,000).

(e) An individual who has sold real property, a mobile home not assessed as real property, or a manufactured home not assessed as real property to another person under a contract that provides that the contract buyer is to pay the property taxes on the real property, mobile home, or manufactured home may not claim the deduction provided under this section against that real property, mobile home, or manufactured home.

(f) For purposes of determining the assessed value of the real property, mobile home, or manufactured home under subsection (d) for an individual who has received a deduction under this section in a particular year, increases in assessed value ~~due solely to an annual adjustment of the assessed value under IC 6-1.1-4-4.5~~ that occur after the later of:

- (1) December 31, 2019; or
- (2) the first year that the individual has received the deduction;

are not considered **unless the increase in assessed value is attributable to physical improvements to the property.**

SECTION 18. IC 6-1.1-13-13 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 13. (a) **This section applies to both residential real property and commercial property for which the assessed value was increased for a tax year by an assessing official for any reason other than by the application of the actual trending factor used by the assessing official to adjust property values for that year. However, this section does not apply to an assessment if the assessment is based on:**

- (1) structural improvements;
- (2) zoning; or
- (3) uses;

that were not considered in the assessment for the prior tax year.

(b) **If the taxpayer:**

- (1) **appeals an increased assessment as described in subsection (a) to the county property tax assessment board of appeals or the Indiana board; and**
- (2) **prevails in an appeal described in subdivision (1) or any resulting subsequent appeal of the increased assessment described in subsection (a);**

the assessing official shall not increase the assessed value of the property until the first year of the next four (4) year cyclical assessment cycle for any reason other than by application of the actual trending factor used by the assessing official to adjust property values for a tax year."

Page 17, delete lines 16 through 42, begin a new paragraph and insert:

"SECTION 17. IC 6-1.1-16-1, AS AMENDED BY P.L.232-2017, SECTION 24, IS AMENDED TO READ AS

FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) Except as provided in section 2 of this chapter, an assessing official or county property tax assessment board of appeals may not change the assessed value claimed by a taxpayer on a personal property return unless the assessing official or county property tax assessment board of appeals takes the action and gives the notice required by IC 6-1.1-3-20 within the following periods:

(1) A township assessor (if any) must make a change in the assessed value and give the notice of the change on or before the later of:

(A) September 15 of the year for which the assessment is made; or

(B) four (4) months from the date the personal property return is filed if the return is filed after the filing date for the personal property tax return.

(2) A county assessor ~~or county property tax assessment board of appeals~~ must make a change in the assessed value including the final determination by the board of an assessment changed by an assessing official; and give the notice of the change on or before the later of:

(A) October 30 of the year for which the assessment is made; or

(B) five (5) months from the date the personal property return is filed if the return is filed after the filing date for the personal property tax return.

(3) A county property tax assessment board of appeals must make a change in the assessed value and give notice of the change on or before the later of:

(A) October 30 of the year for which the assessment is made; or

(B) five (5) months from the date the personal property return is filed if the return is filed after the filing date for the personal property tax return.

This subdivision does not apply to a determination by a county property tax assessment board of appeals acting upon a petition for review filed under subsection (e)(1).

~~(3)~~ **(4)** The department of local government finance must make a preliminary change in the assessed value and give the notice of the change on or before the later of:

(A) October 1 of the year immediately following the year for which the assessment is made; or

(B) sixteen (16) months from the date the personal property return is filed if the return is filed after the filing date for the personal property tax return.

(b) Except as provided in section 2 of this chapter, if an assessing official or a county property tax assessment board of appeals fails to change an assessment and give notice of the change within the time prescribed by this section, the assessed value claimed by the taxpayer on the personal property return is final.

(c) This section does not limit the authority of a county auditor to correct errors in a tax duplicate under IC 6-1.1-15-12.1.

(d) This section does not apply if the taxpayer:

(1) fails to file a personal property return which substantially complies with this article and the regulations of the department of local government finance; or

(2) files a fraudulent personal property return with the intent to evade the payment of property taxes.

(e) A taxpayer may appeal a change in the assessed value under this section as follows:

(1) A taxpayer may appeal a change in the assessed value under subsection (a)(1) or (a)(2) by filing a written notice of review with the county property tax assessment board of appeals under IC 6-1.1-15-1.1.

(2) A taxpayer may appeal a change in the assessed value under subsection (a)(3) by filing a written notice of review with the Indiana board under IC 6-1.1-15-3.

(3) A taxpayer may appeal a preliminary determination of

the department of local government finance under subsection ~~(a)(3)~~ **(a)(4)** to the Indiana board. An appeal under this subdivision shall be conducted in the same manner as an appeal under IC 6-1.1-15-4 through IC 6-1.1-15-8. A preliminary determination that is not appealed under this subsection is a final unappealable order of the department of local government finance."

Page 18, delete lines 1 through 34.

Page 18, line 37, strike "(a) If a county property tax".

Page 18, strike lines 38 through 39.

Page 18, line 40, strike "change within the time prescribed in section".

Page 18, line 40, delete "1(a)(3)".

Page 18, line 40, strike "of this".

Page 18, strike lines 41 through 42.

Page 19, strike lines 1 through 4.

Page 19, line 5, delete "1(a)(3)".

Page 19, line 5, strike "of this chapter as though the board acted and gave".

Page 19, strike line 6.

Page 19, line 7, strike "(b)".

Page 19, line 9, after "to the" insert "**Indiana**".

Page 19, delete lines 11 through 28.

Page 27, between lines 12 and 13, begin a new paragraph and insert:

"SECTION 24. IC 6-1.1-17-16.7, AS AMENDED BY P.L.184-2016, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 16.7. (a) A political subdivision that in any year adopts a proposal to establish a cumulative fund or sinking fund under any of the following provisions must submit the proposal to the department of local government finance before August 2 of that year, for years before 2018, and before May 1 of that year, for years after 2017:

IC 3-11-6

IC 8-10-5

IC 8-16-3

IC 8-16-3.1

IC 8-22-3

IC 14-27-6

IC 14-33-21

IC 16-22-5

IC 16-22-8

IC 36-8-8-14.2

IC 36-8-14

IC 36-9-4

IC 36-9-14

IC 36-9-14.5

IC 36-9-15

IC 36-9-15.5

IC 36-9-16

IC 36-9-17

IC 36-9-26

IC 36-9-27

IC 36-10-3

IC 36-10-4

IC 36-10-7.5

(b) If a proposal described in subsection (a) is not submitted to the department of local government finance before August 2 of a year, for years before 2018, and before May 1 of a year, for years after 2017, the political subdivision may not levy a tax for the cumulative fund or sinking fund in the ensuing year."

Page 30, between lines 34 and 35, begin a new paragraph and insert:

"SECTION 26. IC 6-1.1-18-28 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 28. (a) **This section applies only to the Crawford County solid waste management district.**

(b) The board of directors of the solid waste management

district may, upon approval by the county executive, submit a petition to the department of local government finance for an increase in the solid waste management district's maximum permissible ad valorem property tax levy for property taxes due and payable in 2021. A petition must be submitted not later than September 1, 2020.

(c) If a petition is submitted under subsection (b), the department of local government finance shall increase the solid waste management district's maximum permissible ad valorem property tax levy for property taxes due and payable in 2021 by twelve thousand three hundred thirty-three dollars (\$12,333).

(d) The adjustment under this section is a temporary, one (1) time increase to the solid waste management district's maximum permissible ad valorem property tax levy.

(e) This section expires June 30, 2023.

SECTION 27. IC 6-1.1-18-29 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 29. (a) This section applies only to the English fire protection district in Crawford County.

(b) The board of trustees of the English fire protection district may, upon approval by the county legislative body, submit a petition to the department of local government finance for an increase in the fire protection district's maximum permissible ad valorem property tax levy for property taxes due and payable in 2021 for the special fire general fund. A petition must be submitted not later than September 1, 2020.

(c) If a petition is submitted under subsection (b), the department of local government finance shall increase the fire protection district's maximum permissible ad valorem property tax levy for property taxes due and payable in 2021 for the special fire general fund by thirteen thousand nine hundred eighty-seven dollars (\$13,987).

(d) The adjustment under this section is a temporary, one (1) time increase to the fire protection district's maximum permissible ad valorem property tax levy for the special fire general fund.

(e) This section expires June 30, 2023."

Page 40, between lines 27 and 28, begin a new paragraph and insert:

"SECTION 35. IC 6-1.1-18.5-27 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 27. (a) This section applies only to the Charlestown fire protection district in Clark County.

(b) If the board of fire trustees adopts a resolution:

(1) setting forth a finding that the fire protection district's maximum permissible ad valorem property tax levy needs to be increased in excess of the limitations established under section 3 of this chapter; and

(2) approving the submission of a petition by the fiscal officer of the fire protection district to the department; the fiscal officer of the fire protection district may submit a petition to the department requesting an increase in the fire protection district's maximum permissible ad valorem property tax levy.

(c) If a proper petition is submitted, the department shall increase the fire protection district's maximum permissible ad valorem property tax levy for property taxes first due and payable in 2020 by one hundred eighty-seven thousand nine hundred seventeen dollars (\$187,917), notwithstanding the assessed value growth quotient.

(d) The fire protection district's 2020 maximum permissible ad valorem property tax levy, after the increase made under this section, is to be used as the value of the fire protection district's previous year maximum permissible ad valorem property tax levy for the determination under this chapter of the fire protection district's maximum permissible

ad valorem property tax levy after 2020.

(e) This section expires January 1, 2023.

SECTION 36. IC 6-1.1-18.5-28 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 28. (a) This section applies only to Vernon Township in Hancock County.

(b) The executive of the township may, upon approval by the township fiscal body, submit a petition to the department of local government finance for an increase in the township's maximum permissible ad valorem property tax levy for fire and emergency medical services for property taxes first due and payable in 2021.

(c) If the executive of the township submits a petition in accordance with subsection (a) before August 1, 2020, the department of local government finance shall increase the township's maximum permissible ad valorem property tax levy for fire and emergency medical services for property taxes first due and payable in 2021 to one million eight hundred forty-eight thousand thirty-seven dollars (\$1,848,037).

(d) The township's maximum permissible ad valorem property tax levy for fire and emergency medical services for property taxes first due and payable in 2021, as adjusted under this section, shall be used in the determination of the township's maximum permissible ad valorem property tax levy for fire and emergency medical services for property taxes first due and payable after 2021.

(e) This section expires June 30, 2025."

Page 57, between lines 8 and 9, begin a new paragraph and insert:

"SECTION 40. IC 6-1.1-20.6-8.5, AS AMENDED BY P.L.114-2019, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 8.5. (a) This section applies to an individual who:

(1) qualified for a standard deduction granted under IC 6-1.1-12-37 for the individual's homestead property in the immediately preceding calendar year (or was married at the time of death to a deceased spouse who qualified for a standard deduction granted under IC 6-1.1-12-37 for the individual's homestead property in the immediately preceding calendar year);

(2) qualifies for a standard deduction granted under IC 6-1.1-12-37 for the same homestead property in the current calendar year;

(3) is or will be at least sixty-five (65) years of age on or before December 31 of the calendar year immediately preceding the current calendar year; and

(4) had:

(A) in the case of an individual who filed a single return, adjusted gross income (as defined in Section 62 of the Internal Revenue Code) not exceeding thirty thousand dollars (\$30,000); or

(B) in the case of an individual who filed a joint income tax return with the individual's spouse, combined adjusted gross income (as defined in Section 62 of the Internal Revenue Code) not exceeding forty thousand dollars (\$40,000);

for the calendar year preceding by two (2) years the calendar year in which property taxes are first due and payable.

(b) Except as provided in subsection (g), this section does not apply if:

(1) for an individual who received a credit under this section before January 1, 2020, the gross assessed value of the homestead on the assessment date for which property taxes are imposed is at least two hundred thousand dollars (\$200,000); or

(2) for an individual who initially applies for a credit under this section after December 31, 2019, the assessed

value of the individual's Indiana real property is at least two hundred thousand dollars (\$200,000).

(c) An individual is entitled to an additional credit under this section for property taxes first due and payable for a calendar year on a homestead if:

- (1) the individual and the homestead qualify for the credit under subsection (a) for the calendar year;
- (2) the homestead is not disqualified for the credit under subsection (b) for the calendar year; and
- (3) the filing requirements under subsection (e) are met.

(d) The amount of the credit is equal to the greater of zero (0) or the result of:

- (1) the property tax liability first due and payable on the homestead property for the calendar year; minus
- (2) the result of:
 - (A) the property tax liability first due and payable on the qualified homestead property for the immediately preceding year after the application of the credit granted under this section for that year; multiplied by
 - (B) one and two hundredths (1.02).

However, property tax liability imposed on any improvements to or expansion of the homestead property after the assessment date for which property tax liability described in subdivision (2) was imposed shall not be considered in determining the credit granted under this section in the current calendar year.

(e) Applications for a credit under this section shall be filed in the manner provided for an application for a deduction under IC 6-1.1-12-9. However, an individual who remains eligible for the credit in the following year is not required to file a statement to apply for the credit in the following year. An individual who receives a credit under this section in a particular year and who becomes ineligible for the credit in the following year shall notify the auditor of the county in which the homestead is located of the individual's ineligibility not later than sixty (60) days after the individual becomes ineligible.

(f) The auditor of each county shall, in a particular year, apply a credit provided under this section to each individual who received the credit in the preceding year unless the auditor determines that the individual is no longer eligible for the credit.

(g) For purposes of determining the:

- (1) assessed value of the homestead on the assessment date for which property taxes are imposed under subsection (b)(1); or
- (2) assessed value of the individual's Indiana real property under subsection (b)(2);

for an individual who has received a credit under this section in a particular year, increases in assessed value ~~due solely to an annual adjustment of the assessed value under IC 6-1.1-4-4.5~~ that occur after the later of December 31, 2019, or the first year that the individual has received the credit are not considered **unless the increase in assessed value is attributable to physical improvements to the property.**"

Page 57, between lines 35 and 36, begin a new line block indented and insert:

"(5) Information regarding how a taxpayer can obtain information regarding the taxpayer's notice of assessment or reassessment under IC 6-1.1-4-22."

Page 57, line 36, strike "(5)" and insert "(6)".

Page 57, line 38, strike "(6)" and insert "(7)".

Page 58, line 7, strike "(7)" and insert "(8)".

Page 58, line 32, strike "(8)" and insert "(9)".

Page 58, line 38, delete "(9)" and insert "(10)".

Page 58, line 41, delete ":".

Page 58, line 42, delete "(1)".

Page 58, line 42, delete "; and".

Page 59, delete line 1.

Page 58, run in line 41 through page 59, line 2.

Page 61, delete lines 35 through 42, begin a new paragraph and insert:

"SECTION 39. IC 6-1.1-26-4.2 IS ADDED TO THE

INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2020 (RETROACTIVE)]: Sec. 4.2. (a) This section applies to any refund for a property resulting from a real property tax assessment appeal for the property for an assessment date occurring after December 31, 2014. This section does not apply if any refund for a property under appeal has been paid before January 1, 2020. Except as modified by this section, all other provisions of IC 6-1.1 apply regarding the payment of refunds and application of credits.

(b) If, upon conclusion of a real property tax assessment appeal, the total amount of property taxes owed to the taxpayer as a result of the appeal is one hundred thousand dollars (\$100,000) or more for the assessment dates under appeal, the auditor of the county in which the property is located may, instead of a refund, elect to apply credits in equal installments to future property tax installments for the property over a period of not more than:

(1) five (5) years following the date of the conclusion of the assessment appeal, if the total amount of property taxes owed to the taxpayer as a result of the appeal is:

(A) greater than or equal to one hundred thousand dollars (\$100,000); and

(B) less than seven hundred fifty thousand dollars (\$750,000); or

(2) ten (10) years following the date of the conclusion of the assessment appeal, if the total amount of property taxes owed to the taxpayer as a result of the appeal is greater than or equal to seven hundred fifty thousand dollars (\$750,000).

The auditor may elect to accelerate credits or to provide a full or partial refund within the period specified under subdivision (1) or (2), as applicable.

(c) Notwithstanding subsection (b), if a claimant is no longer the taxpayer for the property on which the appeal was filed, the overpayment shall not be applied as a credit and the overpayment may be refunded in equal installments over the period specified in subsection (b)(1) or (b)(2), as applicable."

Page 62, delete lines 1 through 17.

Page 67, between lines 36 and 37, begin a new paragraph and insert:

"SECTION 47. IC 6-1.1-41-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. This chapter applies to establishing and imposing a tax levy for cumulative funds under the following:

(1) IC 3-11-6.

(2) IC 8-10-5.

(3) IC 8-16-3.

(4) IC 8-16-3.1.

(5) IC 8-22-3.

(6) IC 14-27-6.

(7) IC 14-33-21.

(8) IC 16-22-4.

(9) IC 16-22-8.

(10) IC 36-8-14.2.

(11) IC 36-8-14.

(12) IC 36-9-4.

(13) IC 36-9-14.

(14) IC 36-9-14.5.

(15) IC 36-9-15.

(16) IC 36-9-15.5.

(17) IC 36-9-16.

(18) IC 36-9-17.

(19) IC 36-9-17.5.

(20) IC 36-9-26.

(21) IC 36-9-27.

(22) IC 36-10-3.

(23) IC 36-10-4.

(24) IC 36-10-7.5.

~~(24)~~ (25) Any other statute that specifies that a property tax levy may be imposed under this chapter."

Page 69, between lines 24 and 25, begin a new paragraph and insert:

"SECTION 48. IC 6-3.6-11-9 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 9. (a) This section applies to the calculation and allocation of certified shares among civil taxing units in Hamilton County after 2020 and before 2024.

(b) For each calendar year to which this section applies, the amount of a civil taxing unit's certified shares is equal to:

- (1) the amount of the civil taxing unit's certified shares determined under IC 6-3.6-6, for a civil taxing unit other than the city of Carmel or the city of Fishers;
- (2) the adjusted amount determined under subsection (c), for the city of Carmel; or
- (3) the adjusted amount determined under subsection (d), for the city of Fishers.

(c) For each calendar year to which this section applies, the adjusted amount of the city of Carmel's certified shares is equal to the lesser of:

- (1) the amount of the city of Carmel's certified shares determined under IC 6-3.6-6, without regard to this section; or
- (2) the product of:
 - (A) the amount of the city of Carmel's certified shares determined for the immediately preceding calendar year under IC 6-3.6-6, for 2021, or this section, after 2021; and
 - (B) one and twenty-five thousandths (1.025).

(d) For each calendar year to which this section applies, the adjusted amount of the city of Fisher's certified shares is equal to:

- (1) the sum of:
 - (A) the amount of the city of Carmel's certified shares determined under IC 6-3.6-6, without regard to this section; and
 - (B) the amount of the city of Fisher's certified shares determined under IC 6-3.6-6, without regard to this section; minus
- (2) the adjusted amount of the city of Carmel's certified shares determined under subsection (c)."

Page 88, between lines 22 and 23, begin a new paragraph and insert:

"SECTION 68. IC 36-7-15.6-23 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE MARCH 1, 2020 (RETROACTIVE)]: Sec. 23. (a) This section applies only to a district established after December 31, 2019.

(b) Notwithstanding section 16(d) of this chapter, money in the fund of a district may be used for a flood control works project in a location outside the boundaries of the district if the flood control works project outside the boundaries of the district directly benefits special flood hazard property within the district.

(c) Notwithstanding section 17(a) and 17(g) of this chapter, money received by a district from bonds issued under section 17 of this chapter may be applied to the payment or reimbursement of the cost of a flood control works project in a location outside the boundaries of the district if the flood control works project outside the boundaries of the district directly benefits special flood hazard property within the district.

(d) Notwithstanding section 19(a) and 19(d) of this chapter:

- (1) money received from bonds described in section 19(a) of this chapter may be applied to the payment of the costs of a flood control works project of a district; and

(2) money in the flood control improvement fund of the district may be applied to reimburse debt service payments on the bonds described in section 19(a) of this chapter;

even though the flood control works project was in a location outside the boundaries of the district, if the flood control works project directly benefits special flood hazard property within the district.

(e) This section expires March 1, 2022.

SECTION 69. IC 36-8-8-14.2 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 14.2. (a) This section applies to every unit that is an employer of one (1) or more individuals who are active members of the 1977 fund.

(b) As used in this section, "survivor" means:

- (1) a surviving spouse of a deceased member of the 1977 fund; or
- (2) a surviving natural child, stepchild, or adopted child of a deceased member of the 1977 fund;

who is entitled to health insurance coverage under section 14.1(h) of this chapter.

(c) If a unit is obligated under section 14.1(h) of this chapter to pay for health insurance coverage for one (1) or more survivors of a deceased member of the 1977 fund who died in the line of duty, the legislative body of the unit may establish a public safety officer survivors' health coverage cumulative fund under this section to pay for health coverage under section 14.1(h) of this chapter.

(d) The fiscal body of a unit may provide money for a public safety officer survivors' health coverage cumulative fund established under subsection (c) by levying a tax in compliance with IC 6-1.1-41 on the taxable property in the unit.

(e) The property tax rate that may be imposed under this section for property taxes first due and payable during a particular year may not exceed the rate necessary to pay the annual cost of the health coverage that the unit is obligated to pay under section 14.1(h) of this chapter. The unit shall provide any documentation requested by the department of local government finance that is necessary to certify the rate adopted by the unit. The unit's maximum permissible ad valorem property tax levy determined under IC 6-1.1-18.5-3 excludes the property tax levied under this section.

(f) The tax money collected under this section shall be held in a special fund to be known as the public safety officer survivors' health coverage cumulative fund.

(g) In a consolidated city, money may be transferred from the public safety officer survivors' health coverage cumulative fund to the fund of a department of the consolidated city responsible for carrying out a purpose for which the public safety officer survivors' health coverage cumulative fund was created. The department may not expend any money transferred under this subsection until an appropriation is made, and the department may not expend any money transferred under this subsection for operating costs of the department."

Page 89, between lines 4 and 5, begin a new paragraph and insert:

"SECTION 71. [EFFECTIVE JANUARY 1, 2017 (RETROACTIVE)] (a) This SECTION applies notwithstanding IC 6-1.1-10, IC 6-1.1-11, or any other law or administrative rule or provision.

(b) This SECTION applies to an assessment date occurring after December 31, 2016, and before January 1, 2020.

(c) As used in this SECTION, "eligible property" means real property:

- (1) on which property taxes were imposed for the 2017, 2018, and 2019 assessment dates; and
- (2) that would have been eligible for an exemption from property taxation under IC 6-1.1-10-25(a)(8) for

the 2017, 2018, and 2019 assessment dates if an exemption application had been properly and timely filed under IC 6-1.1 for the real property.

(d) As used in this SECTION, "qualified taxpayer" refers to a nonprofit veterans organization that owns eligible property.

(e) A qualified taxpayer may, before September 1, 2020, file a property tax exemption application and supporting documents claiming a property tax exemption under IC 6-1.1-10-16 or IC 6-1.1-10-25(a)(8) for any assessment date described in subsection (b).

(f) A property tax exemption application filed under subsection (e) by a qualified taxpayer is considered to have been properly and timely filed.

(g) If a qualified taxpayer files property tax exemption applications under subsection (e), the following apply:

(1) The property tax exemption for the eligible property is allowed and granted for the 2017, 2018, and 2019 assessment dates by the county assessor and county auditor of the county in which the eligible property is located.

(2) The qualified taxpayer is not required to pay any property taxes, penalties, interest, or tax sale reimbursement expenses with respect to the eligible property exempted under this SECTION for the 2017, 2018, and 2019 assessment dates.

(3) If the eligible property was placed on the list certified under IC 6-1.1-24-1 or IC 6-1.1-24-1.5 or was otherwise subject to a tax sale under IC 6-1.1-24 and IC 6-1.1-25 because one (1) or more installments of property taxes due for the eligible property for the 2017, 2018, and 2019 assessment dates were not timely paid:

(A) the county auditor shall remove the eligible property from the list certified under IC 6-1.1-24-1 or IC 6-1.1-24-1.5; and

(B) a tax deed may not be issued under IC 6-1.1-25 for the eligible property for any tax sale of the eligible property under IC 6-1.1-24 and IC 6-1.1-25 that was held because one (1) or more installments of property taxes due for the eligible property for the 2017, 2018, and 2019 assessment dates were not timely paid.

(h) A taxpayer is entitled to the exemption from real property tax as claimed on a property tax exemption application filed under this SECTION, regardless of whether:

(1) a property tax exemption application was previously filed for the same or similar property for the assessment date;

(2) the county property tax assessment board of appeals has issued a final determination regarding any previously filed property tax exemption application for the assessment date;

(3) the taxpayer appealed any denial of a previously filed property tax exemption application for the assessment date; or

(4) the records of the county in which the property subject to the property tax exemption application is located identified the taxpayer as the owner of the property on the assessment date described in subsection (b) for which the property tax exemption is claimed.

(i) The exemption allowed by this SECTION shall be applied and considered approved without the need for any further ruling or action by the county assessor, the county auditor, or the county property tax assessment board of appeals of the county in which the eligible property is located or by the Indiana board of tax review. The exemption approval is final and may not be appealed by the county assessor, the county property tax assessment board

of appeals, or any member of the county property tax assessment board of appeals.

(j) To the extent the qualified taxpayer has paid any property taxes, penalties, or interest with respect to the eligible property for the 2017, 2018, and 2019 assessment dates, the eligible taxpayer is entitled to a refund of the amounts paid. Notwithstanding the filing deadlines for a claim in IC 6-1.1-26, any claim for a refund filed by an eligible taxpayer under this subsection before September 1, 2020, is considered timely filed. The county auditor shall pay the refund due under this SECTION in one (1) installment.

(k) This SECTION expires July 1, 2023.

SECTION 72. [EFFECTIVE JANUARY 1, 2018 (RETROACTIVE)] (a) This SECTION applies notwithstanding IC 6-1.1-10, IC 6-1.1-11, or any other law or administrative rule or provision.

(b) This SECTION applies to an assessment date occurring after December 31, 2017, and before January 1, 2020.

(c) As used in this SECTION, "eligible property" means real property:

(1) that was conveyed to an eligible taxpayer in 2014 or 2017;

(2) on which property taxes were imposed for the 2018 and 2019 assessment dates; and

(3) that would have been eligible for an exemption from property taxation under IC 6-1.1-10-16 for the 2018 and 2019 assessment dates if an exemption application had been properly and timely filed under IC 6-1.1 for the real property.

(d) As used in this SECTION, "qualified taxpayer" refers to a nonprofit corporation created in 1903 that owns eligible property.

(e) A qualified taxpayer may, before September 1, 2020, file a property tax exemption application and supporting documents claiming a property tax exemption under IC 6-1.1-10-16 for any assessment date described in subsection (b).

(f) A property tax exemption application filed under subsection (e) by a qualified taxpayer is considered to have been properly and timely filed.

(g) If a qualified taxpayer files the property tax exemption applications under subsection (e), the following apply:

(1) The property tax exemption for the eligible property is allowed and granted for the 2018 and 2019 assessment dates by the county assessor and county auditor of the county in which the eligible property is located.

(2) The qualified taxpayer is not required to pay any property taxes, penalties, interest, or tax sale reimbursement expenses with respect to the eligible property exempted under this SECTION for the 2018 and 2019 assessment dates.

(3) If the eligible property was placed on the list certified under IC 6-1.1-24-1 or IC 6-1.1-24-1.5 or was otherwise subject to a tax sale under IC 6-1.1-24 and IC 6-1.1-25 because one (1) or more installments of property taxes due for the eligible property for the 2018 and 2019 assessment dates were not timely paid:

(A) the county auditor shall remove the eligible property from the list certified under IC 6-1.1-24-1 or IC 6-1.1-24-1.5; and

(B) a tax deed may not be issued under IC 6-1.1-25 for the eligible property for any tax sale of the eligible property under IC 6-1.1-24 and IC 6-1.1-25 that was held because one (1) or more installments of property taxes due for the eligible property for the 2018 and 2019 assessment dates were not timely paid.

(h) A taxpayer is entitled to the exemption from real property tax as claimed on a property tax exemption application filed under this SECTION, regardless of whether:

- (1) a property tax exemption application was previously filed for the same or similar property for the assessment date;
- (2) the county property tax assessment board of appeals has issued a final determination regarding any previously filed property tax exemption application for the assessment date;
- (3) the taxpayer appealed any denial of a previously filed property tax exemption application for the assessment date; or
- (4) the records of the county in which the property subject to the property tax exemption application is located identified the taxpayer as the owner of the property on the assessment date described in subsection (b) for which the property tax exemption is claimed.

(i) The exemption allowed by this SECTION shall be applied and considered approved without the need for any further ruling or action by the county assessor, the county auditor, or the county property tax assessment board of appeals of the county in which the eligible property is located or by the Indiana board of tax review. The exemption approval is final and may not be appealed by the county assessor, the county property tax assessment board of appeals, or any member of the county property tax assessment board of appeals.

(j) To the extent the qualified taxpayer has paid any property taxes, penalties, or interest with respect to the eligible property for the 2018 and 2019 assessment dates, the eligible taxpayer is entitled to a refund of the amounts paid. Notwithstanding the filing deadlines for a claim in IC 6-1.1-26, any claim for a refund filed by an eligible taxpayer under this subsection before September 1, 2020, is considered timely filed. The county auditor shall pay the refund due under this SECTION in one (1) installment.

(k) This SECTION expires July 1, 2023.

SECTION 73. [EFFECTIVE JANUARY 1, 2020 (RETROACTIVE)] (a) IC 6-1.1-4-42, as amended by this act, applies to assessment dates occurring after December 31, 2019.

(b) This SECTION expires July 1, 2022.

SECTION 74. [EFFECTIVE JANUARY 1, 2021] (a) IC 6-1.1-13-13, as added by this act, applies to taxable years beginning after December 31, 2020.

(b) This SECTION expires June 30, 2023.

SECTION 75. [EFFECTIVE UPON PASSAGE] (a) IC 6-1.1-12-9, IC 6-1.1-12-14, and IC 6-1.1-20.6-8.5, all as amended by this act, apply to assessment dates after December 31, 2019.

(b) This SECTION expires June 30, 2023."

Renumber all SECTIONS consecutively.

(Reference is to HB 1113 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 21, nays 0.

Brown T, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1204, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 4, between lines 27 and 28, begin a new paragraph and insert:

"SECTION 5. IC 20-43-8-15, AS AMENDED BY P.L.108-2019, SECTION 230, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 15. (a) This subsection applies to the state fiscal year beginning July 1, 2019. A school corporation's career and technical education enrollment grant for a state fiscal year is the sum of the amounts determined under the following STEPS:

STEP ONE: Determine for each career and technical education program provided by the school corporation:

- (A) the number of credit hours of the program (one (1) credit, two (2) credits, or three (3) credits); multiplied by
- (B) the number of pupils enrolled in the program; multiplied by
- (C) the following applicable amount:

(i) Six hundred eighty dollars (\$680) for a career and technical education program designated by the department of workforce development as a high value program under section 7.5 of this chapter.

(ii) Four hundred dollars (\$400) for a career and technical education program designated by the department of workforce development as a moderate value program under section 7.5 of this chapter.

(iii) Two hundred dollars (\$200) for a career and technical education program designated by the department of workforce development as a less than moderate value program under section 7.5 of this chapter.

STEP TWO: Determine the number of pupils enrolled in an apprenticeship program, a cooperative education program, a foundational career and technical education course, or a work based learning course designated under section 7.5 of this chapter multiplied by one hundred fifty dollars (\$150).

STEP THREE: Determine the number of pupils enrolled in an introductory program designated under section 7.5 of this chapter multiplied by three hundred dollars (\$300).

STEP FOUR: Determine the number of pupils who travel from the school in which they are currently enrolled to another school to participate in a career and technical education program in which pupils from multiple schools are served at a common location multiplied by one hundred fifty dollars (\$150).

(b) This subsection applies to state fiscal years beginning after June 30, 2020. A school corporation's career and technical education enrollment grant for a state fiscal year is the sum of the amounts determined under the following STEPS:

STEP ONE: Determine for each career and technical education program provided by the school corporation:

- (A) the number of credit hours of the program (one (1) credit, two (2) credits, or three (3) credits); multiplied by
- (B) the number of pupils enrolled in the program; multiplied by
- (C) the following applicable amount:

(i) Six hundred eighty dollars (\$680) for a career and technical education program designated by the department of workforce development as a high value level 1 program under section 7.5 of this chapter.

(ii) One thousand twenty dollars (\$1,020) for a career and technical education program designated by the department of workforce development as a high value level 2 program under section 7.5 of this chapter.

(iii) Four hundred dollars (\$400) for a career and technical education program designated by the department of workforce development as a moderate value level 1 program under section 7.5 of this chapter.

(iv) Six hundred dollars (\$600) for a career and technical education program designated by the department of workforce development as a moderate value level 2 program under section 7.5 of this chapter.

(v) Two hundred dollars (\$200) for a career and technical education program designated by the department of workforce development as a less than moderate value level 1 program under section 7.5 of this chapter.

(vi) Three hundred dollars (\$300) for a career and technical education program designated by the department of workforce development as a less than moderate value level 2 program under section 7.5 of this chapter.

STEP TWO: Determine the number of pupils enrolled in an apprenticeship program or a work based learning program designated under section 7.5 of this chapter multiplied by five hundred dollars (\$500).

STEP THREE: Determine the number of pupils enrolled in an introductory program designated under section 7.5 of this chapter multiplied by three hundred dollars (\$300).

STEP FOUR: Determine the number of pupils enrolled in a planning for college and career course under section 7.5 of this chapter at the school corporation that is approved by the department of workforce development multiplied by one hundred fifty dollars (\$150).

STEP FIVE: Determine the number of pupils who travel from the school in which they are currently enrolled to another school to participate in a career and technical education program in which pupils from multiple schools are served at a common location multiplied by one hundred fifty dollars (\$150).

~~(c) The amount distributed under subsection (b) may not exceed one hundred thirty million dollars (\$130,000,000) for a state fiscal year. If the amount determined under subsection (b) will exceed one hundred thirty million dollars (\$130,000,000) for a state fiscal year, the amount distributed to each recipient during the remaining months of the state fiscal year shall be proportionately reduced so that the total reductions equal the amount of the excess for the state fiscal year."~~

Renumber all SECTIONS consecutively.

(Reference is to HB 1204 as introduced.)
and when so amended that said bill do pass.

Committee Vote: yeas 21, nays 0.

BROWN T, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1235, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1235 as introduced.)

Committee Vote: Yeas 21, Nays 0.

BROWN T, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1317, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 19, line 4, after "to" insert **"comprehend and weigh relative information and to make and"**.

Page 19, line 5, delete "willful and knowing" and insert

"reasoned".

Page 23, line 34, delete "prohibits the declarant from orally" and insert **"requires"**.

Page 23, delete lines 35 through 36.

Page 23, run in lines 34 through 37.

Page 25, delete lines 6 through 10, begin a new paragraph and insert:

"(b) A declarant who has capacity is responsible for giving a complete copy of the declarant's advance directive to a health care provider. If a declarant has signed an advance directive but lacks the capacity to make health care decisions or provide informed consent, any health care representative designated in the advance directive or any other interested person shall give a complete copy of the declarant's advance directive to a health care provider. Upon receipt of the declarant's advance directive, the"

Page 25, line 16, delete "that explicitly" and insert **"."**.

Page 25, delete lines 17 through 18.

Page 25, line 26, delete "Unless the advance directive explicitly prohibits oral"

Page 25, delete line 27.

Page 25, line 28, delete "representatives within the advance directive, orally" and insert **"Orally"**.

Page 25, line 37, delete "However, a" and insert **"However, if a declarant has not been determined to be incapacitated under section 31 of this chapter, the"**.

Page 27, line 27, delete "two (2) physicians who examine or evaluate" and insert: **"one (1) physician who examines or evaluates"**.

Page 30, line 32, after "(a)" insert **"For purposes of this section, the term "declarant" includes an individual who has not executed an advance directive or who has no unrevoked advance directive in effect."**

(b)".

Page 30, line 42, delete "(b)" and insert **"(c)"**.

Page 31, line 13, delete "(c)" and insert **"(d)"**.

Page 31, line 18, delete "(d)" and insert **"(e)"**.

Page 31, line 19, delete "(c)" and insert **"(d)"**.

Page 31, line 19, delete "a".

Page 31, delete lines 20 through 24.

Page 31, line 25, delete "conclusion that the declarant lacks capacity,".

Page 31, line 31, delete "(e)" and insert **"(f)"**.

Page 31, line 34, delete "(f)" and insert **"(g)"**.

Page 34, line 3, after "if" insert **"a health care provider is unwilling to comply with a health care decision made by a health care representative, and"**.

Page 34, line 30, after "36." insert **"(a)"**.

Page 34, between lines 36 and 37, begin a new paragraph and insert:

"(b) A health care provider is not responsible for determining the validity of an advance directive."

Page 35, line 28, delete "directive." and insert **"directive or who does not have an advance directive currently in effect."**

Page 35, line 32, delete "chapter;" and insert **"chapter or who does not have an advance directive currently in effect;"**.

(Reference is to HB 1317 as introduced.)

Committee Vote: yeas 11, nays 0. and when so amended that said bill do pass.

KIRCHHOFER, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1326, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 12.

Page 1, line 15, after "20." insert "(a)".

Page 2, line 2, after "following supervisors" insert **"who have at least two (2) years of experience"**.

Page 2, between lines 6 and 7, begin a new paragraph and insert:

"(b) The office may not require a direct service provider in an intensive outpatient treatment program to be a licensed addiction counselor or a licensed clinical addiction counselor. However, the direct service provider must have training and experience in addiction treatment."

Page 2, delete lines 13 through 42.

Page 3, delete lines 1 through 28.

Page 3, line 38, after "completed" insert **"within a reasonable time frame, but not later than thirty (30) days from the date of service,"**.

Page 4, delete lines 8 through 11.

Page 6, delete lines 14 through 25.

Page 6, line 26, delete "(17)" and insert **"(15)"**.

Page 6, between lines 31 and 32, begin a new line block indented and insert:

"Documentation developed as a part of an incident or death reporting audit or review is confidential and may only be shared between the division and the community mental health center."

Page 6, line 37, delete "Behavioral health associate licensees." and insert **"Licensed social workers."**

Page 6, line 40, after "prescriber" insert **"with experience and training in mental health and addiction treatment and"**.

Page 7, line 1, delete "revise:" and insert **"submit rules to the publisher (as defined by IC 4-22-2-3) concerning:"**.

Page 7, delete lines 17 through 25, begin a new paragraph and insert:

"(b) The appeals process described in subsection (a) must reserve the right to restrict ongoing treatment and referrals of new clients in cases of alleged abuse or neglect, filing false claims, providing false information, or waste. In all other cases, conscious effort should be made to ensure the maintained continuity of care of clients by allowing providers to continue to offer services while the corrective action plan is being completed."

Renumber all SECTIONS consecutively.

(Reference is to HB 1326 as introduced.)
and when so amended that said bill do pass.

Committee Vote: yeas 10, nays 0.

KIRCHHOFFER, Chair

Report adopted.

HOUSE BILLS ON SECOND READING

Pursuant to House Rule 143.1, the following bills which had no amendments filed, were read a second time by title and ordered engrossed: House Bills 1076, 1092, 1093, 1099, 1132, 1145, 1147, 1153, 1189, 1198, 1199, 1218, 1222, 1243, 1246, 1267, 1279, 1283, 1288, 1305, 1313, 1334, 1336, 1337, 1341, 1346 and 1372.

ENGROSSED HOUSE BILLS ON THIRD READING

Engrossed House Bill 1095

Representative Sullivan called down Engrossed House Bill 1095 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning transportation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 59: yeas 95, nays 1. The bill was declared passed.

The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Garten.

Engrossed House Bill 1176

Representative Clere called down Engrossed House Bill 1176 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 60: yeas 96, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senators Ruckleshaus, Grooms, Houchin and Breaux.

Engrossed House Bill 1249

Representative Summers called down Engrossed House Bill 1249 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 61: yeas 94, nays 3. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Becker and Breaux.

The House recessed until the fall of the gavel.

RECESS

The House reconvened at 4:12 p.m. with the Speaker in the Chair.

Upon request of Representative Austin, the Speaker ordered the roll of the House to be called to determine the presence or absence of a quorum. Roll Call 62: 67 present. The Speaker declared a quorum present.

Representative Goodin, who had been present, is now excused.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Mr. Speaker: DeLaney A minority of your Committee on Ways and Means, which met on January 23, 2020, to consider House Bill 1065, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 15.

Page 2, delete lines 1 through 3.

Page 3, delete lines 14 through 42.

Delete pages 4 through 24

Page 25, delete lines 1 through 2.

Page 28, delete lines 17 through 42.

Delete pages 29 through 30.

Page 31, delete lines 1 through 22.

Renumber all SECTIONS consecutively.

(Reference is to HB 1065 as introduced.)

and when so amended that said bill do pass.

DELANEY

Upon request of Representatives GiaQuinta and Pierce, the Speaker ordered the roll of the House to be called. Roll Call 63: yeas 32, nays 62. Report failed.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1065, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Replace the effective dates in SECTIONS 5 through 9 with "[EFFECTIVE UPON PASSAGE]".

Page 1, delete lines 1 through 15.

Page 2, delete lines 1 through 3.

Page 3, delete lines 14 through 42.

Delete pages 4 through 8.

Page 9, delete lines 1 through 33.

Page 12, delete lines 30 through 42, begin a new paragraph and insert:

"SECTION 10. IC 6-3.6-3-11 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2020 (RETROACTIVE)]: **Sec. 11. (a) This section applies to a county in which the county adopting body is the local income tax council.**

(b) Notwithstanding any other law, any action taken under this chapter after December 31, 2019, and before April 1, 2020, by:

(1) a member of a local income tax council; or

(2) the local income tax council;

on a resolution or proposed ordinance affecting the imposition of local income tax in the county is void.

(c) This section expires January 1, 2021."

Delete pages 13 through 24.

Page 25, delete lines 1 through 2.

Page 28, delete lines 17 through 42.

Delete pages 29 through 30.

Page 31, delete lines 1 through 22.

Renumber all SECTIONS consecutively.

(Reference is to HB 1065 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 9.

BROWN, T., Chair

Upon request of Representatives T. Brown and Behning, the Speaker ordered the roll of the House to be called. Roll Call 64: yeas 63, nays 31. Report adopted.

HOUSE BILLS ON SECOND READING

House Bill 1003

Representative Jordan called down House Bill 1003 for second reading. The bill was read a second time by title.

HOUSE MOTION (Amendment 1003-1)

Mr. Speaker: I move that House Bill 1003 be amended to read as follows:

Page 6, line 34, delete "applicant will:" and insert **"applicant:"**.

Page 6, line 35, after "(1)" insert **"will"**.

Page 6, line 36, after "(2)" insert **"will"**.

Page 6, line 37, delete "and".

Page 6, between lines 37 and 38, begin a new line block indented and insert:

"(3) for an applicant school or schools whose employees are in a bargaining unit under IC 20-29 and for cases in which the waiver request deals with those employees' employment issues or student learning

issues, includes written evidence that the exclusive representative agrees with the waiver request; and".

Page 6, line 38, delete "(3)" and insert **"(4) will"**.

(Reference is to HB 1003 as printed January 24, 2020.)

WRIGHT

Upon request of Representatives Pryor and Porter, the Speaker ordered the roll of the House to be called. Roll Call 65: yeas 31, nays 62. Motion failed.

HOUSE MOTION (Amendment 1003-2)

Mr. Speaker: I move that House Bill 1003 be amended to read as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 20-18-2-16, AS AMENDED BY P.L.211-2019, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 16. (a) "School corporation", for purposes of this title (except IC 20-20-33, IC 20-26-1 through IC 20-26-5, IC 20-26-7, ~~IC 20-26-7.1~~, IC 20-28-11.5, IC 20-30-8, IC 20-30-16, IC 20-43, and IC 20-50), means a public school corporation established by Indiana law. The term includes a:

- (1) school city;
- (2) school town;
- (3) consolidated school corporation;
- (4) metropolitan school district;
- (5) township school corporation;
- (6) county school corporation;
- (7) united school corporation; or
- (8) community school corporation.

(b) "School corporation", for purposes of IC 20-26-1 through IC 20-26-5 and IC 20-26-7, and ~~IC 20-26-7.1~~, has the meaning set forth in IC 20-26-2-4.

(c) "School corporation", for purposes of IC 20-20-33, IC 20-26.5, IC 20-30-8, and IC 20-50, includes a charter school (as defined in IC 20-24-1-4).

(d) "School corporation", for purposes of IC 20-43, has the meaning set forth in IC 20-43-1-23.

(e) "School corporation", for purposes of IC 20-28-11.5, has the meaning set forth in IC 20-28-11.5-3.

(f) "School corporation", for purposes of IC 20-35, has the meaning set forth in IC 20-35-1-6.

(g) "School corporation", for purposes of IC 20-30-16, has the meaning set forth in IC 20-30-16-4."

Page 6, between lines 3 and 4, begin a new paragraph and insert:

"SECTION 3. IC 20-25-4-14, AS AMENDED BY P.L.270-2019, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 14. (a) ~~Except as provided in IC 20-26-7.1~~, A school city may:

- (1) sell real estate;
- (2) transfer personal property; and
- (3) execute deeds of conveyance and instruments of transfer with or without covenants of warranty;

if, in the opinion of the board, the real estate or personal property cannot be advantageously used for school or library purposes and can be sold for its fair cash value.

(b) A determination by the board that real estate or personal property cannot be advantageously used under subsection (a) must be entered into the record of the minutes of the school city's board.

SECTION 4. IC 20-25.7-5-2, AS AMENDED BY P.L.269-2019, SECTION 5, AND AS AMENDED BY P.L.270-2019, SECTION 6, AND AS AMENDED BY P.L.108-2019, SECTION 212, AND AS AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2020 GENERAL ASSEMBLY, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. (a) The board may enter into an agreement with an organizer

to reconstitute an eligible school as a participating innovation network charter school or to establish a participating innovation network charter school at a location selected by the board within the boundary of the school corporation. ~~Notwithstanding IC 20-26-7-1, IC 20-26-7-1, a participating innovation network charter school may be established within a vacant school building.~~

(b) The terms of the agreement entered into between the board and an organizer must specify the following:

(1) A statement that the organizer authorizes the department to include the charter school's performance assessment results under IC 20-31-8 when calculating the school corporation's performance assessment under rules adopted by the state board.

(2) The amount of state funding, including tuition support (if the participating innovation network charter school is treated in the same manner as a school operated by the school corporation under subsection (d)(2)), and money levied as property taxes that will be distributed by the school corporation to the organizer.

(3) The performance goals and accountability metrics agreed upon for the charter school in the charter agreement between the organizer and the authorizer.

(c) If an organizer and the board enter into an agreement under subsection (a), the organizer and the board shall notify the department that the agreement has been made under this section within thirty (30) days after the agreement is entered into.

(d) Upon receipt of the notification under subsection (c), for school years starting after the date of the agreement:

(1) the department shall include the participating innovation network charter school's performance assessment results under IC 20-31-8 when calculating the school corporation's performance assessment under rules adopted by the state board;

(2) the department shall treat the participating innovation network charter school in the same manner as a school operated by the school corporation when calculating the total amount of state funding to be distributed to the school corporation unless subsection (e) applies; and

(3) if requested by a participating innovation network charter school that reconstitutes an eligible school, the department may use student growth as the state board's exclusive means to determine the innovation network charter school's category or designation of school improvement under 511 IAC 6.2-10-10 for a period of three (3) years. *Beginning with the 2019-2020 school year, the department may not use student growth as the state board's exclusive means to determine an innovation network charter school's category or designation of school improvement. This subdivision expires July 1, 2023.*

(e) If a participating innovation network school was established before January 1, 2016, and for the current school year has a complexity index that is greater than the complexity index for the school corporation that the innovation network school has contracted with, the innovation network school shall be treated as a charter school for purposes of determining tuition support. This subsection expires June 30, ~~2019~~ 2021.

SECTION 5. IC 20-26-1-1, AS AMENDED BY P.L.270-2019, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. Except as otherwise provided, IC 20-26-1 through IC 20-26-5 and IC 20-26-7 and ~~IC 20-26-7-1~~ apply to all school corporations.

SECTION 6. IC 20-26-2-1, AS AMENDED BY P.L.270-2019, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. Notwithstanding IC 20-18-2, the definitions in this chapter apply in IC 20-26-1 through IC 20-26-5 and IC 20-26-7. and ~~IC 20-26-7-1.~~

SECTION 7. IC 20-26-5-4, AS AMENDED BY

P.L.270-2019, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4. (a) In carrying out the school purposes of a school corporation, the governing body acting on the school corporation's behalf has the following specific powers:

(1) In the name of the school corporation, to sue and be sued and to enter into contracts in matters permitted by applicable law. However, a governing body may not use funds received from the state to bring or join in an action against the state, unless the governing body is challenging an adverse decision by a state agency, board, or commission.

(2) To take charge of, manage, and conduct the educational affairs of the school corporation and to establish, locate, and provide the necessary schools, school libraries, other libraries where permitted by law, other buildings, facilities, property, and equipment.

(3) To appropriate from the school corporation's general fund (before January 1, 2019) or the school corporation's operations fund (after December 31, 2018) an amount, not to exceed the greater of three thousand dollars (\$3,000) per budget year or one dollar (\$1) per pupil, not to exceed twelve thousand five hundred dollars (\$12,500), based on the school corporation's ADM of the previous year (as defined in IC 20-43-1-7) to promote the best interests of the school corporation through:

(A) the purchase of meals, decorations, memorabilia, or awards;

(B) provision for expenses incurred in interviewing job applicants; or

(C) developing relations with other governmental units.

(4) To do the following:

(A) Acquire, construct, erect, maintain, hold, and contract for construction, erection, or maintenance of real estate, real estate improvements, or an interest in real estate or real estate improvements, as the governing body considers necessary for school purposes, including buildings, parts of buildings, additions to buildings, rooms, gymnasiums, auditoriums, playgrounds, playing and athletic fields, facilities for physical training, buildings for administrative, office, warehouse, repair activities, or housing school owned buses, landscaping, walks, drives, parking areas, roadways, easements and facilities for power, sewer, water, roadway, access, storm and surface water, drinking water, gas, electricity, other utilities and similar purposes, by purchase, either outright for cash (or under conditional sales or purchase money contracts providing for a retention of a security interest by the seller until payment is made or by notes where the contract, security retention, or note is permitted by applicable law), by exchange, by gift, by devise, by eminent domain, by lease with or without option to purchase, or by lease under IC 20-47-2, IC 20-47-3, or IC 20-47-5.

(B) Repair, remodel, remove, or demolish, or to contract for the repair, remodeling, removal, or demolition of the real estate, real estate improvements, or interest in the real estate or real estate improvements, as the governing body considers necessary for school purposes.

(C) Provide for conservation measures through utility efficiency programs or under a guaranteed savings contract as described in IC 36-1-12.5.

(5) To acquire personal property or an interest in personal property as the governing body considers necessary for school purposes, including buses, motor vehicles, equipment, apparatus, appliances, books, furniture, and supplies, either by cash purchase or under conditional sales or purchase money contracts providing for a security

interest by the seller until payment is made or by notes where the contract, security, retention, or note is permitted by applicable law, by gift, by devise, by loan, or by lease with or without option to purchase and to repair, remodel, remove, relocate, and demolish the personal property. All purchases and contracts specified under the powers authorized under subdivision (4) and this subdivision are subject solely to applicable law relating to purchases and contracting by municipal corporations in general and to the supervisory control of state agencies as provided in section 6 of this chapter.

(6) To sell or exchange real or personal property or interest in real or personal property that, in the opinion of the governing body, is not necessary for school purposes, in accordance with IC 20-26-7, ~~and IC 20-26-7.1~~, to demolish or otherwise dispose of the property if, in the opinion of the governing body, the property is not necessary for school purposes and is worthless, and to pay the expenses for the demolition or disposition.

(7) To lease any school property for a rental that the governing body considers reasonable or to permit the free use of school property for:

(A) civic or public purposes; or

(B) the operation of a school age child care program for children who are at least five (5) years of age and less than fifteen (15) years of age that operates before or after the school day, or both, and during periods when school is not in session;

if the property is not needed for school purposes. Under this subdivision, the governing body may enter into a long term lease with a nonprofit corporation, community service organization, or other governmental entity, if the corporation, organization, or other governmental entity will use the property to be leased for civic or public purposes or for a school age child care program. However, if payment for the property subject to a long term lease is made from money in the school corporation's debt service fund, all proceeds from the long term lease must be deposited in the school corporation's debt service fund so long as payment for the property has not been made. The governing body may, at the governing body's option, use the procedure specified in IC 36-1-11-10 in leasing property under this subdivision.

(8) To do the following:

(A) Employ, contract for, and discharge superintendents, supervisors, principals, teachers, librarians, athletic coaches (whether or not they are otherwise employed by the school corporation and whether or not they are licensed under IC 20-28-5), business managers, superintendents of buildings and grounds, janitors, engineers, architects, physicians, dentists, nurses, accountants, teacher aides performing noninstructional duties, educational and other professional consultants, data processing and computer service for school purposes, including the making of schedules, the keeping and analyzing of grades and other student data, the keeping and preparing of warrants, payroll, and similar data where approved by the state board of accounts as provided below, and other personnel or services as the governing body considers necessary for school purposes.

(B) Fix and pay the salaries and compensation of persons and services described in this subdivision that are consistent with IC 20-28-9-1.5.

(C) Classify persons or services described in this subdivision and to adopt a compensation plan with a salary range that is consistent with IC 20-28-9-1.5.

(D) Determine the number of the persons or the amount of the services employed or contracted for as provided in this subdivision.

(E) Determine the nature and extent of the duties of the persons described in this subdivision.

The compensation, terms of employment, and discharge of teachers are, however, subject to and governed by the laws relating to employment, contracting, compensation, and discharge of teachers. The compensation, terms of employment, and discharge of bus drivers are subject to and governed by laws relating to employment, contracting, compensation, and discharge of bus drivers.

(9) Notwithstanding the appropriation limitation in subdivision (3), when the governing body by resolution considers a trip by an employee of the school corporation or by a member of the governing body to be in the interest of the school corporation, including attending meetings, conferences, or examining equipment, buildings, and installation in other areas, to permit the employee to be absent in connection with the trip without any loss in pay and to reimburse the employee or the member the employee's or member's reasonable lodging and meal expenses and necessary transportation expenses. To pay teaching personnel for time spent in sponsoring and working with school related trips or activities.

(10) Subject to IC 20-27-13, to transport children to and from school, when in the opinion of the governing body the transportation is necessary, including considerations for the safety of the children. The transportation must be otherwise in accordance with applicable law.

(11) To provide a lunch program for a part or all of the students attending the schools of the school corporation, including the establishment of kitchens, kitchen facilities, kitchen equipment, lunch rooms, the hiring of the necessary personnel to operate the lunch program, and the purchase of material and supplies for the lunch program, charging students for the operational costs of the lunch program, fixing the price per meal or per food item. To operate the lunch program as an extracurricular activity, subject to the supervision of the governing body. To participate in a surplus commodity or lunch aid program.

(12) To purchase curricular materials, to furnish curricular materials without cost or to rent curricular materials to students, and to participate in a curricular materials aid program, all in accordance with applicable law.

(13) To accept students transferred from other school corporations and to transfer students to other school corporations in accordance with applicable law.

(14) To make budgets, to appropriate funds, and to disburse the money of the school corporation in accordance with applicable law. To borrow money against current tax collections and otherwise to borrow money, in accordance with IC 20-48-1.

(15) To purchase insurance or to establish and maintain a program of self-insurance relating to the liability of the school corporation or the school corporation's employees in connection with motor vehicles or property and for additional coverage to the extent permitted and in accordance with IC 34-13-3-20. To purchase additional insurance or to establish and maintain a program of self-insurance protecting the school corporation and members of the governing body, employees, contractors, or agents of the school corporation from liability, risk, accident, or loss related to school property, school contract, school or school related activity, including the purchase of insurance or the establishment and maintenance of a self-insurance program protecting persons described in this subdivision against false imprisonment, false arrest, libel, or slander for acts committed in the course of the persons' employment, protecting the school corporation for fire and extended coverage and other casualty risks to the extent of replacement cost, loss of use, and other insurable risks

relating to property owned, leased, or held by the school corporation. In accordance with IC 20-26-17, to:

- (A) participate in a state employee health plan under IC 5-10-8-6.7;
- (B) purchase insurance; or
- (C) establish and maintain a program of self-insurance; to benefit school corporation employees, including accident, sickness, health, or dental coverage, provided that a plan of self-insurance must include an aggregate stop-loss provision.
- (16) To make all applications, to enter into all contracts, and to sign all documents necessary for the receipt of aid, money, or property from the state, the federal government, or from any other source.
- (17) To defend a member of the governing body or any employee of the school corporation in any suit arising out of the performance of the member's or employee's duties for or employment with, the school corporation, if the governing body by resolution determined that the action was taken in good faith. To save any member or employee harmless from any liability, cost, or damage in connection with the performance, including the payment of legal fees, except where the liability, cost, or damage is predicated on or arises out of the bad faith of the member or employee, or is a claim or judgment based on the member's or employee's malfeasance in office or employment.
- (18) To prepare, make, enforce, amend, or repeal rules, regulations, and procedures:

- (A) for the government and management of the schools, property, facilities, and activities of the school corporation, the school corporation's agents, employees, and pupils and for the operation of the governing body; and

- (B) that may be designated by an appropriate title such as "policy handbook", "bylaws", or "rules and regulations".

- (19) To ratify and approve any action taken by a member of the governing body, an officer of the governing body, or an employee of the school corporation after the action is taken, if the action could have been approved in advance, and in connection with the action to pay the expense or compensation permitted under IC 20-26-1 through IC 20-26-5, IC 20-26-7, IC 20-40-12, and IC 20-48-1 or any other law.

- (20) To exercise any other power and make any expenditure in carrying out the governing body's general powers and purposes provided in this chapter or in carrying out the powers delineated in this section which is reasonable from a business or educational standpoint in carrying out school purposes of the school corporation, including the acquisition of property or the employment or contracting for services, even though the power or expenditure is not specifically set out in this chapter. The specific powers set out in this section do not limit the general grant of powers provided in this chapter except where a limitation is set out in IC 20-26-1 through IC 20-26-5, IC 20-26-7, IC 20-40-12, IC 20-40-18 (after December 31, 2018), and IC 20-48-1 by specific language or by reference to other law.

(b) A superintendent hired under subsection (a)(8):

- (1) is not required to hold a teacher's license under IC 20-28-5; and

- (2) is required to have obtained at least a master's degree from an accredited postsecondary educational institution.

SECTION 8. IC 20-26-5-12, AS AMENDED BY P.L.270-2019, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 12. Except for IC 20-26-4-1, IC 20-26-4-4, and IC 20-26-4-5, the powers given each school corporation in IC 20-26-1 through IC 20-26-5, IC 20-26-7, IC 20-40-12, and IC 20-48-1 and the limitations on

those powers set out in IC 20-26-1 through IC 20-26-5, IC 20-26-7, ~~IC 20-26-7-1~~, IC 20-40-12, and IC 20-48-1 may not be construed to limit the authority of the governing body given by any other statute or rule."

Page 6, between lines 11 and 12, begin a new paragraph and insert:

"SECTION 10. IC 20-26-7-1, AS AMENDED BY P.L.270-2019, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) ~~Except as otherwise provided in IC 20-26-7-1~~. If a governing body of a school corporation determines that any real or personal property:

- (1) is no longer needed for school purposes; or

- (2) should, in the interests of the school corporation, be exchanged for other property;

the governing body may sell or exchange the property in accordance with IC 36-1-11.

(b) Money derived from the sale or exchange of property under this section shall be placed in the school corporation's operations fund.

(c) A governing body may not enter into a lease agreement or make a covenant that prohibits the sale of real property to another educational institution.

SECTION 11. IC 20-26-7.1 IS REPEALED [EFFECTIVE JULY 1, 2020]. (Transfers of Vacant School Buildings to Charter Schools)."

Page 18, between lines 3 and 4, begin a new paragraph and insert:

"SECTION 21. IC 20-31-9-9, AS AMENDED BY P.L.270-2019, SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 9. (a) Not later than December 31 of the fifth year of an intervention under this chapter, the state board shall take one (1) of the following actions:

- (1) Return the school to the school corporation for operation.

- (2) Direct the special management team to apply to a charter school authorizer for charter school status for the school.

- (3) Implement a new intervention under section 4(b) of this chapter.

(b) In making a determination under this section, the state board may consider all relevant factors, including the overall performance of the school corporation and the special management team.

(c) Before making a final determination to take an action under subsection (a), the state board shall hold at least one (1) public hearing in the school corporation in which the school is located during the fall semester of the fifth year of an intervention to consider and hear testimony.

(d) If the state board directs the special management team to apply for charter school status under subsection (a)(2), the school is entitled to continue to use the school's facilities in the same manner as a charter school that acquires school facilities under ~~IC 20-26-7-1~~ IC 20-26-7-1 is entitled to use school facilities.

(e) If the state board directs the special management team to apply for charter school status under subsection (a)(2), the state board shall notify the charter school authorizer selected for application by the special management team of the state board's decision to direct the school to apply for charter status."

Page 20, between lines 25 and 26, begin a new paragraph and insert:

"SECTION 25. P.L.270-2019, SECTION 25, IS REPEALED [EFFECTIVE JULY 1, 2020]. ~~SECTION 25: (a) IC 20-26-7-1, as added by this act, applies to a school building that:~~

- (1) was included on the list compiled by the department of education under IC 20-26-7-1(f), before the amendment of IC 20-26-7-1 by this act; or

- (2) was required to be added to the list not later than

~~August 1, 2019, under IC 20-26-7-1(f), before the amendment of IC 20-26-7-1 by this act:~~
~~(b) This SECTION expires July 1, 2024."~~
 Renumber all SECTIONS consecutively.
 (Reference is to HB 1003 as printed January 24, 2020.)

CHYUNG

Representative Leonard rose to a point of order, citing Rule 80, stating that the motion was not germane to the bill. The Speaker ruled the point was well taken and the motion was out of order.

APPEAL OF THE RULING OF THE CHAIR

Mr. Speaker: We appeal the ruling of the Chair that amendment House Bill 1003-2 violates House Rule 80. The amendment addresses public school corporation property transfers to charter schools, and is assuredly germane to the bill's subject matter of education matters.

DVORAK
CHYUNG

The Speaker yielded the gavel to the Speaker Pro Tempore, Representative Karickhoff.

The question was, Shall the ruling of the Chair be sustained? Roll Call 66: yeas 63, nays 31. The ruling of the Chair was sustained.

The Speaker Pro Tempore yielded the gavel to the Speaker.

Representative Huston, who had been present, is now excused.

House Bill 1004

Representative Smaltz called down House Bill 1004 for second reading. The bill was read a second time by title.

HOUSE MOTION (Amendment 1004-1)

Mr. Speaker: I move that House Bill 1004 be amended to read as follows:

Page 3, between lines 25 and 26, begin a new paragraph and insert:

"SECTION 2. IC 24-5-0.5-3, AS AMENDED BY P.L.211-2019, SECTION 33, AND AS AMENDED BY P.L.242-2019, SECTION 6, AND AS AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2020 GENERAL ASSEMBLY, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. (a) A supplier may not commit an unfair, abusive, or deceptive act, omission, or practice in connection with a consumer transaction. Such an act, omission, or practice by a supplier is a violation of this chapter whether it occurs before, during, or after the transaction. An act, omission, or practice prohibited by this section includes both implicit and explicit misrepresentations.

(b) Without limiting the scope of subsection (a), the following acts, and the following representations as to the subject matter of a consumer transaction, made orally, in writing, or by electronic communication, by a supplier, are deceptive acts:

(1) That such subject of a consumer transaction has sponsorship, approval, performance, characteristics, accessories, uses, or benefits it does not have which the supplier knows or should reasonably know it does not have.

(2) That such subject of a consumer transaction is of a particular standard, quality, grade, style, or model, if it is not and if the supplier knows or should reasonably know that it is not.

(3) That such subject of a consumer transaction is new or unused, if it is not and if the supplier knows or should reasonably know that it is not.

(4) That such subject of a consumer transaction will be

supplied to the public in greater quantity than the supplier intends or reasonably expects.

(5) That replacement or repair constituting the subject of a consumer transaction is needed, if it is not and if the supplier knows or should reasonably know that it is not.

(6) That a specific price advantage exists as to such subject of a consumer transaction, if it does not and if the supplier knows or should reasonably know that it does not.

(7) That the supplier has a sponsorship, approval, or affiliation in such consumer transaction the supplier does not have, and which the supplier knows or should reasonably know that the supplier does not have.

(8) That such consumer transaction involves or does not involve a warranty, a disclaimer of warranties, or other rights, remedies, or obligations, if the representation is false and if the supplier knows or should reasonably know that the representation is false.

(9) That the consumer will receive a rebate, discount, or other benefit as an inducement for entering into a sale or lease in return for giving the supplier the names of prospective consumers or otherwise helping the supplier to enter into other consumer transactions, if earning the benefit, rebate, or discount is contingent upon the occurrence of an event subsequent to the time the consumer agrees to the purchase or lease.

(10) That the supplier is able to deliver or complete the subject of the consumer transaction within a stated period of time, when the supplier knows or should reasonably know the supplier could not. If no time period has been stated by the supplier, there is a presumption that the supplier has represented that the supplier will deliver or complete the subject of the consumer transaction within a reasonable time, according to the course of dealing or the usage of the trade.

(11) That the consumer will be able to purchase the subject of the consumer transaction as advertised by the supplier, if the supplier does not intend to sell it.

(12) That the replacement or repair constituting the subject of a consumer transaction can be made by the supplier for the estimate the supplier gives a customer for the replacement or repair, if the specified work is completed and:

(A) the cost exceeds the estimate by an amount equal to or greater than ten percent (10%) of the estimate;

(B) the supplier did not obtain written permission from the customer to authorize the supplier to complete the work even if the cost would exceed the amounts specified in clause (A);

(C) the total cost for services and parts for a single transaction is more than seven hundred fifty dollars (\$750); and

(D) the supplier knew or reasonably should have known that the cost would exceed the estimate in the amounts specified in clause (A).

(13) That the replacement or repair constituting the subject of a consumer transaction is needed, and that the supplier disposes of the part repaired or replaced earlier than seventy-two (72) hours after both:

(A) the customer has been notified that the work has been completed; and

(B) the part repaired or replaced has been made available for examination upon the request of the customer.

(14) Engaging in the replacement or repair of the subject of a consumer transaction if the consumer has not authorized the replacement or repair, and if the supplier knows or should reasonably know that it is not authorized.

(15) The act of misrepresenting the geographic location of the supplier by listing an alternate business name or an assumed business name (as described in IC 23-0.5-3-4) in

a local telephone directory if:

- (A) the name misrepresents the supplier's geographic location;
 - (B) the listing fails to identify the locality and state of the supplier's business;
 - (C) calls to the local telephone number are routinely forwarded or otherwise transferred to a supplier's business location that is outside the calling area covered by the local telephone directory; and
 - (D) the supplier's business location is located in a county that is not contiguous to a county in the calling area covered by the local telephone directory.
- (16) The act of listing an alternate business name or assumed business name (as described in IC 23-0.5-3-4) in a directory assistance data base if:
- (A) the name misrepresents the supplier's geographic location;
 - (B) calls to the local telephone number are routinely forwarded or otherwise transferred to a supplier's business location that is outside the local calling area; and
 - (C) the supplier's business location is located in a county that is not contiguous to a county in the local calling area.
- (17) The violation by a supplier of IC 24-3-4 concerning cigarettes for import or export.
- (18) The act of a supplier in knowingly selling or reselling a product to a consumer if the product has been recalled, whether by the order of a court or a regulatory body, or voluntarily by the manufacturer, distributor, or retailer, unless the product has been repaired or modified to correct the defect that was the subject of the recall.
- (19) The violation by a supplier of 47 U.S.C. 227, including any rules or regulations issued under 47 U.S.C. 227.
- (20) The violation by a supplier of the federal Fair Debt Collection Practices Act (15 U.S.C. 1692 et seq.), including any rules or regulations issued under the federal Fair Debt Collection Practices Act (15 U.S.C. 1692 et seq.).
- (21) A violation of IC 24-5-7 (concerning health spa services), as set forth in IC 24-5-7-17.
- (22) A violation of IC 24-5-8 (concerning business opportunity transactions), as set forth in IC 24-5-8-20.
- (23) A violation of IC 24-5-10 (concerning home consumer transactions), as set forth in IC 24-5-10-18.
- (24) A violation of IC 24-5-11 (concerning real property improvement contracts), as set forth in IC 24-5-11-14.
- (25) A violation of IC 24-5-12 (concerning telephone solicitations), as set forth in IC 24-5-12-23.
- (26) A violation of IC 24-5-13.5 (concerning buyback motor vehicles), as set forth in IC 24-5-13.5-14.
- (27) A violation of IC 24-5-14 (concerning automatic dialing-announcing devices), as set forth in IC 24-5-14-13.
- (28) A violation of IC 24-5-15 (concerning credit services organizations), as set forth in IC 24-5-15-11.
- (29) A violation of IC 24-5-16 (concerning unlawful motor vehicle subleasing), as set forth in IC 24-5-16-18.
- (30) A violation of IC 24-5-17 (concerning environmental marketing claims), as set forth in IC 24-5-17-14.
- (31) A violation of IC 24-5-19 (concerning deceptive commercial solicitation), as set forth in IC 24-5-19-11.
- (32) A violation of IC 24-5-21 (concerning prescription drug discount cards), as set forth in IC 24-5-21-7.
- (33) A violation of IC 24-5-23.5-7 (concerning real estate appraisals), as set forth in IC 24-5-23.5-9.
- (34) A violation of IC 24-5-26 (concerning identity theft), as set forth in IC 24-5-26-3.
- (35) A violation of IC 24-5.5 (concerning mortgage rescue fraud), as set forth in IC 24-5.5-6-1.

(36) A violation of IC 24-8 (concerning promotional gifts and contests), as set forth in IC 24-8-6-3.

(37) A violation of IC 21-18.5-6 (concerning representations made by a postsecondary credit bearing proprietary educational institution), as set forth in IC 21-18.5-6-22.5.

(38) A violation of IC 24-5-15.5 (concerning collection actions of a plaintiff debt buyer), as set forth in IC 24-5-15.5-6.

~~(38)~~ (39) A violation of IC 24-14 (concerning towing services), as set forth in IC 24-14-10-1.

~~(38)~~ (40) A violation of IC 24-5-14.5 (concerning misleading or inaccurate caller identification information), as set forth in IC 24-5-14.5-12.

(41) A violation of IC 24-5-24.8 (concerning reporting medical debt to consumer reporting agencies), as set forth in IC 24-5-24.8-7.

(c) Any representations on or within a product or its packaging or in advertising or promotional materials which would constitute a deceptive act shall be the deceptive act both of the supplier who places such representation thereon or therein, or who authored such materials, and such other suppliers who shall state orally or in writing that such representation is true if such other supplier shall know or have reason to know that such representation was false.

(d) If a supplier shows by a preponderance of the evidence that an act resulted from a bona fide error notwithstanding the maintenance of procedures reasonably adopted to avoid the error, such act shall not be deceptive within the meaning of this chapter.

(e) It shall be a defense to any action brought under this chapter that the representation constituting an alleged deceptive act was one made in good faith by the supplier without knowledge of its falsity and in reliance upon the oral or written representations of the manufacturer, the person from whom the supplier acquired the product, any testing organization, or any other person provided that the source thereof is disclosed to the consumer.

(f) For purposes of subsection (b)(12), a supplier that provides estimates before performing repair or replacement work for a customer shall give the customer a written estimate itemizing as closely as possible the price for labor and parts necessary for the specific job before commencing the work.

(g) For purposes of subsection (b)(15) and (b)(16), a telephone company or other provider of a telephone directory or directory assistance service or its officer or agent is immune from liability for publishing the listing of an alternate business name or assumed business name of a supplier in its directory or directory assistance data base unless the telephone company or other provider of a telephone directory or directory assistance service is the same person as the supplier who has committed the deceptive act.

(h) For purposes of subsection (b)(18), it is an affirmative defense to any action brought under this chapter that the product has been altered by a person other than the defendant to render the product completely incapable of serving its original purpose.

SECTION 3. IC 24-5-24.8 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

Chapter 24.8. Reporting Medical Debt to Consumer Reporting Agencies

Sec. 1. (a) As used in this chapter, "consumer" means an individual whose principal residence is in Indiana.

(b) The term includes a protected consumer (as defined in IC 24-5-24.5-4).

Sec. 2. As used in this chapter, "consumer reporting agency" refers to a consumer reporting agency that compiles and maintains files on consumers on a nationwide basis.

Sec. 3. As used in this chapter, "consumer reporting

agency that compiles and maintains files on consumers on a nationwide basis" means a consumer reporting agency (as defined in 15 U.S.C. 1681a(f)) that regularly engages in the practice of assembling or evaluating, and maintaining, for the purpose of furnishing to third parties, consumer reports bearing on a consumer's creditworthiness, credit standing, or credit capacity, each of the following regarding consumers residing nationwide:

- (1) Public record information.
- (2) Credit account information from persons who furnish that information regularly and in the ordinary course of business.

Sec. 4. As used in this chapter, "delinquent account action", with respect to a consumer's delinquent account with a medical provider, means any action taken to initiate, or in furtherance of:

- (1) placing the customer's account for collection;
- (2) charging the customer's account to profit or loss; or
- (3) subjecting the customer's account to any similar action;

whether taken through the medical provider's own actions or those of an agent.

Sec. 5. (a) As used in this chapter, "medical provider" means a person whose primary business is providing medical services, products, or devices to consumers, regardless of whether the person:

- (1) regularly and in the ordinary course of business furnishes to one (1) or more consumer reporting agencies information about the person's transactions or experiences with any consumer; or
- (2) has notified one (1) or more consumer reporting agencies of the person's status as a medical information furnisher under 15 U.S.C. 1681s-2(a)(9).

(b) The term includes an agent or an assignee of a person described in subsection (a).

Sec. 6. (a) This section does not apply with respect to any medical services, products, or devices provided by a medical provider to a consumer at:

- (1) a medical facility;
- (2) a business location; or
- (3) any other location;

outside Indiana.

(b) After June 30, 2020, a medical provider may not report to a consumer reporting agency information concerning:

- (1) any delinquency incurred by a consumer, regardless of when the delinquency is incurred; or
- (2) any delinquent account action taken with respect to the consumer's account with the medical provider, regardless of when the action is taken;

in connection with any medical services, products, or devices provided in Indiana by the medical provider to the consumer.

(c) The federal Fair Credit Reporting Act (15 U.S.C. 1681 et seq.) does not exempt a medical provider subject to this section from complying with this section, except to the extent that this section is inconsistent with any provision of the federal Fair Credit Reporting Act (15 U.S.C. 1681 et seq.), and then only to the extent of the inconsistency, as provided in 15 U.S.C. 1681t(a).

Sec. 7. A person who violates section 6 of this chapter commits a deceptive act that is actionable by the attorney general or by a consumer under IC 24-5-0.5-4 and is subject to the remedies and penalties set forth in IC 24-5-0.5."

Renumber all SECTIONS consecutively.

(Reference is to HB 1004 as printed January 24, 2020.)

SHACKLEFORD

Representative Leonard rose to a point of order, citing Rule 80, stating that the motion was not germane to the bill. The Speaker ruled the point was not well taken.

Upon request of Representatives Pryor and Porter, the Speaker ordered the roll of the House to be called. Roll Call 67: yeas 31, nays 62. Motion failed.

HOUSE MOTION (Amendment 1004-3)

Mr. Speaker: I move that House Bill 1004 be amended to read as follows:

Page 1, line 6, after "(b)" insert "As used in this section, "emergency services" means services that are:

- (1) furnished by a provider qualified to furnish emergency services; and
- (2) needed to evaluate or stabilize an emergency medical condition.

(c)".

Page 1, line 12, delete "(c)" and insert "(d)".

Page 1, line 16, delete "(d)" and insert "(e)".

Page 2, line 3, delete "(e)" and insert "(f)".

Page 2, line 15, delete "(f)" and insert "(g)".

Page 2, delete lines 18 through 42, begin a new paragraph and insert:

"(h) This section applies to the provision of emergency services to a covered individual by a facility or a practitioner that is not an in network provider of the covered individual's health plan.

(i) If a facility is not an in network provider of a health plan and provides emergency services to a covered individual of the health plan, payment for emergency services by the covered individual's health plan are as follows:

(1) For a facility that had an in network provider contract with the health plan within the twenty-four (24) months immediately preceding the date on which the emergency services were rendered to the covered individual, the health plan shall pay to the facility, and the facility shall accept as payment in full for the services, the amount provided, less any copayment, coinsurance, or deductible that the coverage requires the covered individual to pay for the service as follows:

(A) If the facility was an in network provider within the twelve (12) months immediately preceding the provision of emergency services to the covered individual, one hundred eight percent (108%) of the amount that would have been paid for the emergency services under the most recent applicable provider contract between the health plan and the facility, less any copayment, coinsurance, or deductible that the coverage requires the covered individual to pay for the service.

(B) If the facility was an in network provider within the twenty-four (24) months immediately preceding the provision of the emergency services to the covered individual but not within the twelve (12) months immediately preceding the provision of the emergency services, one hundred fifteen percent (115%) of the amount that would have been paid for the emergency services under the most recent applicable provider contract between the health plan and the facility, less any copayment, coinsurance, or deductible that the coverage requires the covered individual to pay for the service.

(2) For a facility that did not have a provider contract with the health plan within the twenty-four (24) months immediately preceding the date on which the emergency services were rendered to the covered individual of the health plan, the covered individual's health plan shall pay to the facility or practitioner an amount that the health plan has determined to be fair and reasonable as payment for the emergency services,

less any copayment, coinsurance, or deductible that the coverage requires the covered individual to pay for the emergency service if the service was provided by an in network provider.

(j) If a practitioner that is not an in network provider of a health plan provides emergency services to a covered individual of the health plan, payment for emergency services provided to the covered individual are as follows:

(1) If the practitioner that is not an in network provider had a provider contract with the health plan within the twelve (12) months immediately preceding the date on which the emergency services were provided to the covered individual, then the following:

(A) If the practitioner terminated a provider contract with the covered individual's health plan without cause before the contract was scheduled to expire, the health plan shall pay to the practitioner for the emergency services, and the practitioner shall accept as payment in full for the services, the amount that would have been paid to the practitioner for the services under the provider contract, less the amount of any copayment, coinsurance, or deductible.

(B) If:

(i) the practitioner terminated a provider contract with the covered individual's health plan for cause before the contract was scheduled to expire; or

(ii) the covered individual's health plan terminated the contract with the practitioner without cause;

the health plan shall pay the practitioner for the emergency services, and the practitioner shall accept as payment in full for the services, one hundred eight percent (108%) of the amount that would have been paid for those services under the contract, less the amount of the copayment, coinsurance, or deductible.

(C) If the covered individual's health plan terminated the most recent applicable provider contract between the health plan and the practitioner for cause before it was scheduled to expire, the health plan shall pay to practitioner an amount the health plan has determined to be fair and reasonable as payment for the emergency services, less any copayment, coinsurance, or deductible.

(D) If neither the covered individual's health plan nor the practitioner terminated the provider contract, the health plan shall pay for the emergency services, and the practitioner shall accept as payment in full, the amount that would have been paid for the services under the most recent applicable provider contract between the health plan and the practitioner plus an amount equal to the percentage of increase in the Consumer Price Index Medical Care Component, during the immediate preceding calendar year, less the amount of the copayment, coinsurance, or deductible.

(2) If the practitioner did not have a provider contract with the covered individual's health plan within the twelve (12) months immediately preceding the date on which the emergency services were rendered to the covered individual, the covered individual's health plan shall submit to the practitioner an offer of payment in full for the emergency services provided to the covered individual, less any copayment, coinsurance, or deductible.

(k) A facility or practitioner may request to arbitrate under IC 27-1-45 the reimbursement rate by a health plan for emergency services provided to the covered individual

under this section.

SECTION 2. IC 27-1-45 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

Chapter 45. Arbitration of Emergency Service Reimbursement

Sec. 1. This chapter applies to payments made by a health plan to providers who are not in network providers.

Sec. 2. The definitions in IC 16-21-2-17 apply throughout this section.

Sec. 3. Not later than thirty (30) days after a provider who is not an in network provider receives a health plan's offer for payment for emergency services provided to a covered individual required under IC 16-21-2-17, the provider must either:

(1) notify the health plan of the provider's acceptance of the health plan's offer; or

(2) request an additional amount from the health plan which, when combined with the health plan's offer, the provider would accept as full payment for the emergency services.

Sec. 4. If a provider who is not an in network provider fails to comply with the requirements of section 3 of this chapter, the health plan's offer will be deemed to be accepted by the provider.

Sec. 5. If a health plan does not issue the additional amount requested by a provider who is not an in network provider under section 3(2) of this chapter within thirty (30) days of the request, the provider must request a list of five (5) randomly selected arbitrators from the department of insurance. The list of arbitrators must be selected pursuant to the following:

(1) For claims of less than five thousand dollars (\$5,000), arbitrators should be selected so as to conduct the arbitration in an economically efficient manner. Arbitrators may be qualified employees of the state.

(2) For claims of five thousand dollars (\$5,000) or more, arbitrators may be selected from either of the following:

(A) A list of arbitrators from the American Health Lawyers Association.

(B) The national roster of arbitrators from the American Arbitration Association who have health law expertise.

Sec. 6. Upon receiving the list of arbitrators required under section 5 of this chapter, the provider and the health plan shall each strike two (2) arbitrators from the list.

Sec. 7. If one (1) arbitrator remains, that arbitrator shall arbitrate the dispute. If more than one (1) arbitrator remains, an arbitrator will be randomly selected from the remaining arbitrators by the department of insurance.

Sec. 8. In an arbitration initiated under this chapter, each party shall submit in writing to the arbitrator any relevant information regarding the party's position concerning the amount to be paid for the emergency services. The arbitrator shall review the written submissions and shall, within forty-five (45) days after receiving the written submissions, provide a written decision. The parties will be bound by the arbitrator's decision.

Sec. 9. The arbitrator's expenses and fees and other expenses incurred in the arbitration shall be paid as provided in the arbitrator's written decision.

Sec. 10. On or before December 31 of each year, an arbitrator who arbitrated a matter under this chapter during the immediately preceding twelve (12) months shall report the following to the department of insurance:

(1) The number of cases arbitrated by the arbitrator.

(2) The types of nonparticipating providers and health carriers involved in those cases.

(3) The prevailing party in each arbitration.

(4) The geographic location of the parties.

(5) Any other information requested by the department of insurance."

Delete pages 3 through 5.

Renumber all SECTIONS consecutively.

(Reference is to HB 1004 as printed January 24, 2020.)

AUSTIN

Motion withdrawn. The bill was ordered engrossed.

Representative Huston, who had been excused, is now present.

Representative Soliday, who had been present, is now excused.

House Bill 1066

Representative Thompson called down House Bill 1066 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 1066-1)

Mr. Speaker: I move that House Bill 1066 be amended to read as follows:

Page 8, delete lines 34 through 42.

Delete page 9.

Page 10, delete lines 1 through 39.

Renumber all SECTIONS consecutively.

(Reference is to HB 1066 as printed January 24, 2020.)

DELANEY

Upon request of Representatives Pryor and GiaQuinta, the Speaker ordered the roll of the House to be called. Roll Call 68: yeas 94, nays 0. Motion prevailed. The bill was ordered engrossed.

House Bill 1070

Representative Sullivan called down House Bill 1070 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Representative Soliday, who had been excused, is now present.

Representative Huston, who had been present, is now excused

House Bill 1080

Representative Barrett called down House Bill 1080 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 1080-1)

Mr. Speaker: I move that House Bill 1080 be amended to read as follows:

Page 2, between lines 17 and 18, begin a new paragraph and insert:

"SECTION 2. IC 27-8-14.5-3.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 3.5. As used in this chapter, "prescription insulin drug" means a prescription drug that contains insulin, is used to treat diabetes, and has been prescribed as medically necessary.**

SECTION 3. IC 27-8-14.5-6.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 6.5. (a) An insurer shall cap the total amount an insured is required to pay for a thirty (30) day supply of the insured's prescription insulin drugs at an amount not to exceed one hundred dollars (\$100), regardless of the number of prescriptions and different types of prescription insulin drugs prescribed and filled in that thirty (30) day period.**

(b) An insurer may reduce the total amount an insured is required to pay for a thirty (30) day supply of the insured's

prescription insulin drugs to an amount less than the amount of the cap specified in subsection (a).0

(c) This section applies to a health insurance plan that is issued, delivered, amended, or renewed after June 30, 2020."

Renumber all SECTIONS consecutively.

(Reference is to HB 1080 as printed January 24, 2020.)

SHACKLEFORD

Representative Leonard rose to a point of order, citing Rule 80, stating that the motion was not germane to the bill. The Speaker ruled the point was well taken and the motion was out of order.

APPEAL OF THE RULING OF THE CHAIR

Mr. Speaker: We appeal the ruling of the Chair that amendment House Bill 1080-1 violates House Rule 80. The amendment addresses out of pocket costs under a health plan to an insured, and is assuredly germane to the bill's subject matter of health plan coverage of a serious health issue.

DVORAK
SHACKLEFORD

The Speaker yielded the gavel to the Speaker Pro Tempore, Representative Karickhoff.

The question was, Shall the ruling of the Chair be sustained? Roll Call 69: yeas 62, nays 32. The ruling of the Chair was sustained.

The Speaker Pro Tempore yielded the gavel to the Speaker.

House Bill 1081

Representative Gutwein called down House Bill 1081 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 1081-1)

Mr. Speaker: I move that House Bill 1081 be amended to read as follows:

Page 8, line 35, after "minority" insert "**business enterprises**".

Page 8, line 35, strike "and".

Page 8, line 36, strike "businesses enterprises" and insert "**business enterprises, and veteran owned small businesses**".

Page 8, line 38, after "minority" insert "**business enterprises**".

Page 8, line 38, strike "and".

Page 8, line 39, after "enterprises" insert ", **and veteran owned small businesses**".

(Reference is to HB 1081 as printed January 24, 2020.)

BARTLETT

Motion prevailed. The bill was ordered engrossed.

Representative Huston, who had been excused, is now present.

House Bill 1082

Representative Heaton called down House Bill 1082 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 1082-1)

Mr. Speaker: I move that House Bill 1082 be amended to read as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 21-13-9-3.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 3.5. (a) The student scholarship program fund is established to accumulate money to provide scholarships under this**

chapter.

(b) The fund consists of:

- (1) appropriations for the student scholarship program by the general assembly;
- (2) grants; and
- (3) gifts.

(c) The commission for higher education shall administer the fund.

(d) Expenses of administering the fund shall be paid from the fund.

(e) Money in the fund that is not needed to meet the obligations of the fund may be invested in the manner that other public money may be invested. Interest or other investment income derived from the investment of money in the fund becomes part of the fund.

(f) Money in the fund at the end of a state fiscal year does not revert to any other fund and remains available to make distributions for scholarships under this chapter.

SECTION 2. IC 21-13-9-5, AS AMENDED BY P.L.108-2019, SECTION 236, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. (a) The commission, in coordination with the Marian University College of Osteopathic Medicine, shall select from among the qualified students who will receive a scholarship under this chapter. The commission may not create or use a waiting list for scholarships under this chapter.

(b) The amount of the scholarship that may be awarded to a qualified student for a particular school year shall be determined by the commission, in coordination with the Marian University College of Osteopathic Medicine, and may not exceed the following: **amounts specified in subsection (c) or (d), as applicable.**

(c) If a qualified student does not enter into the optional agreement described in section 6(b) of this chapter, the amount of the scholarship that may be awarded to a qualified student for a particular school year may not exceed the following:

- (1) If the scholarship is awarded in the first class year, a maximum of fifteen thousand dollars (\$15,000) per year for four (4) class years.
- (2) If the scholarship is awarded in the second class year:
 - (A) a maximum of seven thousand five hundred dollars (\$7,500) for the first class year; and
 - (B) a maximum of ten thousand dollars (\$10,000) per year for the second through fourth class years.
- (3) If the scholarship is awarded in the third class year:
 - (A) a maximum of five thousand dollars (\$5,000) for the first class year;
 - (B) a maximum of seven thousand five hundred dollars (\$7,500) for the second class year; and
 - (C) a maximum of ten thousand dollars (\$10,000) per year for the third and fourth class years.
- (4) If the scholarship is awarded in the fourth class year:
 - (A) a maximum of two thousand five hundred dollars (\$2,500) for the first class year;
 - (B) a maximum of five thousand dollars (\$5,000) for the second class year;
 - (C) a maximum of seven thousand five hundred dollars (\$7,500) for the third class year; and
 - (D) a maximum of ten thousand dollars (\$10,000) for the fourth class year.

(d) If a qualified student enters into an agreement described in section 6(b) of this chapter, the amount of the scholarship that may be awarded to a qualified student for a particular school year may not exceed the following:

- (1) If the scholarship is awarded in the first class year, a maximum of twenty thousand dollars (\$20,000) per year for four (4) class years.
- (2) If the scholarship is awarded in the second class

(A) a maximum of eleven thousand two hundred fifty dollars (\$11,250) for the first class year; and
(B) a maximum of fifteen thousand dollars (\$15,000) per year for the second through fourth class years.

(3) If the scholarship is awarded in the third class year:

(A) a maximum of seven thousand five hundred dollars (\$7,500) for the first class year;

(B) a maximum of eleven thousand two hundred fifty dollars (\$11,250) for the second class year; and

(C) a maximum of fifteen thousand dollars (\$15,000) per year for the third and fourth class years.

(4) If the scholarship is awarded in the fourth class year:

(A) a maximum of three thousand seven hundred fifty dollars (\$3,750) for the first class year;

(B) a maximum of seven thousand five hundred dollars (\$7,500) for the second class year;

(C) a maximum of eleven thousand two hundred fifty dollars (\$11,250) for the third class year; and

(D) a maximum of fifteen thousand dollars (\$15,000) for the fourth class year.

(e) (e) A qualified student may not qualify for a scholarship for more than four (4) school years.

SECTION 3. IC 21-13-9-6, AS AMENDED BY P.L.178-2018, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. (a) A scholarship recipient must execute a written primary care practice agreement with the commission, with the terms and conditions and in the form and manner required by the commission. The agreement must provide that the scholarship recipient shall do at least the following:

(1) Continually satisfy the requirements of section 4 of this chapter during the school year.

(2) Complete the requirements of the Marian University College of Osteopathic Medicine program by the end of the fourth year after receiving the first scholarship under this chapter.

(3) Practice one (1) year of primary care in Indiana for each class year for which the recipient was awarded a scholarship under this chapter, including any preceding class years awarded under section ~~5(b)(2), 5(b)(3), or 5(b)(4)~~ **5(c)(2), 5(c)(3), or 5(c)(4)** of this chapter. This requirement includes the time spent in any residency program that is located in Indiana.

(4) Return the amount specified in the agreement, plus any interest the commission imposes under subsection ~~(b); (c),~~ to the commission if the scholarship recipient fails to comply with all the terms and conditions of the agreement.

(b) As used in this subsection, "Health Professional Shortage Area" means a Health Professional Shortage Area designated by the Bureau of Health Workforce of the Health Resources and Services Administration of the United States Department of Health and Human Services. A scholarship recipient may, in addition to the requirements of subsection (a), execute an additional written agreement to do the following:

(1) Practice one (1) year of primary care in an area in Indiana designated as a Health Professional Shortage Area for each class year for which the recipient was awarded a scholarship under this chapter, including any preceding class years awarded under section 5(d)(2), 5(d)(3), or 5(d)(4) of this chapter. This requirement includes the time spent in any residency program that is located in a Health Professional Shortage Area in Indiana.

(2) Return the amount specified in the agreement, plus any interest the commission imposes under subsection (c), to the commission if the scholarship recipient fails to comply with all the terms and conditions of the

agreement. Amounts to be repaid under this subdivision are limited to the amounts that the scholarship recipient received in excess of the limits specified in section 5(c) of this chapter.

~~(b)~~ (c) The commission may impose and collect interest on any unpaid amounts owed to the commission under subsection (a)(4) **or (b)(2), or both, as applicable.**

SECTION 4. IC 21-13-9-7, AS AMENDED BY P.L.191-2017, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 7. (a) To receive a distribution under this chapter, the Marian University College of Osteopathic Medicine shall make a written request for the distribution to the commission specifying the amount of the distribution requested. The commission shall review the request and determine the amount of the request that should be approved for distribution. (b) The ~~budget agency~~ **commission** may not ~~allocate money appropriated for~~ make scholarship distributions under this chapter until after the distribution request by the Marian University College of Osteopathic Medicine is approved by the commission. ~~after review by the budget committee."~~

Renumber all SECTIONS consecutively.

(Reference is to HB 1082 as printed January 24, 2020.)

PORTER

HOUSE MOTION

Mr. Speaker: Pursuant to House Rule 47, I request to be excused from voting on the question of House Bill 1082, Amendment 1. Pursuant to House Rule 46, the reason for the request is the following:

I have a conflict of interest in the matter before the House which could reasonably be expected to have a impact on my employer, Marian University.

BEHNING

Upon request of Representatives Porter and GiaQuinta, the Speaker ordered the roll of the House to be called. Roll Call 70: yeas 31, nays 60. Motion failed. The bill was ordered engrossed.

House Bill 1131

Representative Pressel called down House Bill 1131 for second reading. The bill was read a second time by title.

HOUSE MOTION (Amendment 1131-1)

Mr. Speaker: I move that House Bill 1131 be amended to read as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 8-1-1.9-3, AS ADDED BY P.L.126-2018, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. As used in this chapter, "water or wastewater utility" means a ~~public~~ utility that provides water service, wastewater service, or both water service and wastewater service to the public.

SECTION 2. IC 8-1-1.9-4, AS ADDED BY P.L.126-2018, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4. (a) Notwithstanding IC 8-1-2.7 and any other law under which a water or wastewater utility is exempt from or may withdraw from the jurisdiction of the commission, a water or wastewater utility that is organized as a legal entity after June 30, 2018, **or that directly or indirectly purchases, acquires, or becomes the owner of any of the property, stock, or bonds of any other utility**, is subject to the jurisdiction of the commission with respect to:

- (1) rates and charges;
- (2) stocks, bonds, notes, or other evidence of indebtedness;
- (3) rules; and

(4) the annual report filing requirement; for the period of ten (10) years beginning on the day on which the water or wastewater utility is organized as a legal entity **or directly or indirectly purchases, acquires, or becomes the owner of any of the property, stock, or bonds of any other utility.**

(b) This section does not affect:

- (1) any statutes requiring or permitting a water or wastewater utility to petition the commission before providing service to the public; or
- (2) the commission's jurisdiction regarding statutes and petitions referred to in subdivision (1)."

Page 1, line 3, delete "to an agreement for a:" and insert "**to:**

(1) a water main extension;

(2) a wastewater main extension; or

(3) an agreement that:

(A) is for a water main extension or a wastewater main extension; and

(B) is entered into after June 30, 2020, by a utility and the person requesting the extension."

Page 1, delete lines 4 through 7.

Page 1, delete lines 11 through 17, begin a new paragraph and insert:

"(c) With respect to any water main extension or wastewater main extension, a utility shall comply with the commission's rules governing water main extensions or wastewater main extensions, as applicable, including:

(1) 170 IAC 6-1.5, in the case of a water main extension; or

(2) 170 IAC 8.5-4, in the case of a wastewater main extension;

as may be amended by the commission, regardless of whether the utility is subject to the jurisdiction of the commission for the approval of rates and charges. However, a utility is not required to comply with any provisions in the commission's main extension rules that require reporting to the commission.

(d) Disputes arising under this section may be submitted as informal complaints to the commission's consumer affairs division, in accordance with IC 8-1-2-34.5(b) and the commission's rules under 170 IAC 16, including provisions for referrals and appeals to the full commission, regardless of whether the person requesting the extension is a customer of the utility.

(e) The commission shall adopt by:

(1) order; or

(2) rule under IC 4-22-2;

other procedures not inconsistent with this section that the commission determines to be reasonable or necessary to administer this section. In adopting the rules under this section, the commission may adopt emergency rules in the manner provided by IC 4-22-2-37.1. Notwithstanding IC 4-22-2-37.1(g), an emergency rule adopted by the commission under this subsection and in the manner provided by IC 4-22-2-37.1 expires on the date on which a rule that supersedes the emergency rule is adopted by the commission under IC 4-22-2-24 through IC 4-22-2-36.

(f) If the commission determines that it requires additional staff to handle the volume of informal complaints submitted under this section, the commission may impose a fee under this section. Any fee charged by the commission under this section may:

(1) not exceed:

(A) the commission's actual costs in administering this section; or

(B) seven hundred fifty dollars (\$750);

whichever is less; and

(2) be assessed against the party against whom a decision is rendered under this section."

Page 2, delete lines 1 through 2.
 Renumber all SECTIONS consecutively.
 (Reference is to HB 1131 as printed January 17, 2020.)
 PRESSEL

Motion prevailed. The bill was ordered engrossed.

House Bill 1165

Representative Burton called down House Bill 1165 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

House Bill 1181

Representative Cook called down House Bill 1181 for second reading. The bill was read a second time by title.

HOUSE MOTION (Amendment 1181-1)

Mr. Speaker: I move that House Bill 1181 be amended to read as follows:

Page 10, delete lines 17 through 42.

Delete page 11.

Renumber all SECTIONS consecutively.

(Reference is to HB 1181 as printed January 24, 2020.)

COOK

Motion prevailed. The bill was ordered engrossed.

House Bill 1182

Representative Clere called down House Bill 1182 for second reading. The bill was read a second time by title.

HOUSE MOTION (Amendment 1182-1)

Mr. Speaker: I move that House Bill 1182 be amended to read as follows:

Page 7, line 16, reset in roman "the best".

Page 7, line 16, delete "one (1)".

Page 7, line 17, after "transmission" insert "**as a result of sexual activity**".

Page 36, line 19, after "include" insert "**local**".

Page 36, delete lines 20 through 27 begin a new line block indented and insert:

"(1) **Public health.**

(2) **Primary health care.**

(3) **Mental health.**

(4) **Law enforcement.**

(5) **Behavioral health.**

(6) **Parole or probation.**

(7) **Addiction medicine.**

(8) **Emergency medical services.**

(9) **Social work.**".

Page 43, line 4, reset in roman "the best".

Page 43, line 4, delete "one (1)".

Page 43, line 5, after "transmission" insert "**as a result of sexual activity**".

(Reference is to HB 1182 as printed January 24, 2020.)

CLERE

Motion prevailed. The bill was ordered engrossed.

House Bill 1207

Representative Davisson called down House Bill 1207 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

House Bill 1225

Representative McNamara called down House Bill 1225 for second reading. The bill was read a second time by title.

HOUSE MOTION (Amendment 1225-2)

Mr. Speaker: I move that House Bill 1225 be amended to read as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 9-19-13-4, AS AMENDED BY P.L.144-2019, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4. A bus used to transport school children must be equipped as follows:

(1) At least two (2) signal lamps mounted as high and as widely spaced laterally as practicable, capable of displaying the front two (2) alternately flashing red lights located at the same level, and having sufficient intensity to be visible at five hundred (500) feet in normal sunlight.

~~(2) Black reflective tape mounted on:~~

~~(A) each side of the school bus;~~

~~(B) the front bumper; and~~

~~(C) the rear bumper.~~

~~(2)~~ (2) As required by the state school bus committee under IC 20-27-3-4.

~~(3)~~ (3) As required by IC 20-27-9."

Renumber all SECTIONS consecutively.

(Reference is to HB 1225 as printed January 24, 2020.)

DELANEY

Motion prevailed. The bill was ordered engrossed.

House Bill 1301

Representative Carbaugh called down House Bill 1301 for second reading. The bill was read a second time by title.

HOUSE MOTION (Amendment 1301-1)

Mr. Speaker: I move that House Bill 1301 be amended to read as follows:

Page 1, delete lines 1 through 17.

Page 2, delete lines 1 through 5.

Renumber all SECTIONS consecutively.

(Reference is to HB 1301 as printed January 24, 2020.)

CARBAUGH

Motion prevailed. The bill was ordered engrossed.

House Bill 1370

Representative May called down House Bill 1370 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

House Bill 1347

Representative Gutwein called down House Bill 1347 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

ENGROSSED HOUSE BILLS ON THIRD READING

Engrossed House Bill 1059

Representative Miller called down Engrossed House Bill 1059 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 71: yeas 70, nays 24. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Doriot, Messmer, Rogers and Buck.

Engrossed House Bill 1090

Representative Cook called down Engrossed House Bill 1090 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning business and other associations.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 72: yeas 63, nays 29. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Koch.

ENROLLED ACTS SIGNED

The Speaker announced that he had signed House Enrolled Act 1007 on January 24.

OTHER BUSINESS ON THE SPEAKER'S TABLE**HOUSE MOTION**

Mr. Speaker: I move that Representatives Forestal and Pryor be added as coauthors of House Bill 1013.

SAUNDERS

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Harris be added as coauthor of House Bill 1030.

BURTON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Stutzman be added as coauthor of House Bill 1059.

MILLER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Wesco be added as coauthor of House Bill 1060.

MILLER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Frye be added as coauthor of House Bill 1063.

GOODRICH

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Jackson be added as coauthor of House Bill 1076.

PRYOR

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Porter and Judy be added as coauthors of House Bill 1080.

BARRETT

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Austin be added as coauthor of House Bill 1093.

ZIEMKE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Schaibley and McNamara be added as coauthors of House Bill 1145.

HOSTETTLER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Ziemke be added as coauthor of House Bill 1159.

SCHAIBLEY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Hamilton be added as coauthor of House Bill 1215.

BECK

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Porter be added as coauthor of House Bill 1235.

KARICKHOFF

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Shackelford and Bacon be added as coauthors of House Bill 1243.

VERMILION

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Frye, Pryor and Pressel be added as coauthors of House Bill 1246.

SULLIVAN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Negele, Fleming and Shackelford be added as coauthors of House Bill 1294.

ENGLEMAN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Klinker be added as coauthor of House Bill 1305.

STUTZMAN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Morris and Moed be added as coauthors of House Bill 1331.

CARBAUGH

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Mayfield be added as coauthor of House Bill 1392.

SMALTZ

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Pressel be added as coauthor of House Bill 1419.

BEHNING

Motion prevailed.

Pursuant to House Rule 60, committee meetings were announced.

On the motion of Representative Chyung, the House adjourned at 6:23 p.m., this twenty-seventh day of January, 2020, until Tuesday, January 28, 2020, at 1:30 p.m.

BRIAN C. BOSMA

Speaker of the House of Representatives

M. CAROLINE SPOTTS

Principal Clerk of the House of Representatives